

4 LAND USE / AGRICULTURE

This chapter provides a discussion of existing land uses and the applicable regulatory framework, and analysis of potential land use impacts associated with the proposed mine expansion project, and mitigation measures to reduce potentially significant or significant impacts. The information in this chapter is based on:

- ▶ the Placer County General Plan (1994) and Zoning Ordinance (1995),
- ▶ the Yuba County General Plan (1996) and Zoning Ordinance (1997),
- ▶ the existing mine reclamation plan (Western Planning and Engineering 1986),
- ▶ the draft mine reclamation plan (Carlton Engineering, Inc., 2003),
- ▶ the addendum to the draft mine reclamation plan (Carlton Engineering, Inc., 2004),
- ▶ aerial photographs, and
- ▶ site visits conducted by EDAW staff in June 2001.

4.1 EXISTING CONDITIONS

The project site is located in an area generally characterized by agricultural and rural land uses. Mining has occurred along the Bear River within the project site continuously since 1956. The project site is located in both Placer and Yuba counties and is located on property owned by Automatic Aggregate Systems Inc. and property leased from AKT Wheatland Ranch LLC. The existing haul route is located entirely within Placer County. The specific land uses on and around the site are described below.

LAND USES IN THE PROJECT VICINITY

Surrounding land uses consist primarily of agricultural and rural uses (Exhibit 4-1). The project site is bordered by a concrete-lined canal (owned by the Camp Far West Irrigation District) to the north. Beyond the canal, the area is primarily undeveloped land with a residence to the north. A portion of the northwestern portion of the project site is bordered by walnut orchard, which extends south of the canal and borders the western edge of the site. Rice fields, pastureland, and open space border the site to the south. Camp Far West Reservoir Dam is approximately 1.5 miles east of the site. Sheridan, where land uses include residential and commercial uses, is approximately 2.5 miles southwest of the project site.

Residences located in the project vicinity consist of 10 single-family rural residences to the south, southwest, southeast, and north of the project site, primarily along Camp Far West Road. Exhibit 4-1 illustrates the location of the nine closest residences relative to the project site. The nearest residences are located approximately 100 feet or less to the east of the project site boundary, 1,300 feet to the east of the existing processing area, and 2,300 to the southeast of the proposed asphalt batch plant. In addition, single-family residences are located along the existing haul route in the downtown Sheridan area, as illustrated in Exhibit 4-2. These rural residences are discussed further in Chapter 8, Air Quality, and Chapter 9, Noise.

LAND USES ON THE PROJECT SITE

As discussed in Chapter 2, Project Description, the mine site (i.e., the currently permitted mining operation) encompasses approximately 436 acres including the permitted operation of 326 acres within the jurisdictional boundaries of both Placer and Yuba counties. The site is bounded by the Camp Far West Irrigation Canal to the north and a walnut orchard on the west. The southern boundary of the site includes a segment of the Bear River; to the east, the site is bounded by rice fields.

One permanent structure, a maintenance shop, is located on the site northeast of the mine entrance road. In addition, several other structures, including the office and processing facilities, are located south of the Bear River within the processing area. Other ancillary facilities onsite include truck scales and fuel storage tanks.

Ongoing mining operations onsite are located primarily on the north side of the Bear River. Processing activities (i.e., washing, screening, and crushing) are located near the middle of the southern boundary of the site. An access road connecting to Camp Far West Road provides primary access to the existing operation. Unpaved internal haul roads provide access throughout the property for operations. These haul roads are located on the tops of levees, within the processing plant, and within current and past excavation areas. A 280-foot steel and concrete bridge has been constructed over the Bear River to provide access between active mining areas on the north side of the river and the processing facilities on the south side of the river.

Ponds used for settling processing fines from the washwater are located in the northeastern portion of the property north of the Bear River. Several mined areas south of the Bear River are already being actively reclaimed as open-water habitat and native riparian and wetland vegetation for wildlife habitat uses. These areas are being reclaimed in accordance with the existing mine reclamation plan (Western Planning and Engineering 1986). In addition, levees have been constructed along the north and south banks of the Bear River from the eastern site limits within the currently permitted area in accordance with the current CUP.

Two areas of the project site are currently in agricultural production. A walnut orchard is located in the western portion of the site in Phase 1, the area proposed for Phases 4 and 5, and an actively farmed rice field is located in the southern portion of the project site within the area proposed for Phase 6.

Infrastructure on the project site is limited to water conveyance pipelines and overhead electrical lines. Electricity is used for onsite lighting and for supplying energy to the portable office and the existing maintenance shop. The water pipelines are located above ground and are used to convey water to and from the processing area to the settling pond.

The approximate 448-acre proposed expansion area is located immediately west of the existing operation on property owned by AKT Wheatland Ranch LLC, and south of the existing processing plant area on Automatic Aggregate Systems Inc. property; it is within the jurisdictional boundaries of both Placer and Yuba counties. The Placer County portion of the expansion area is devoted largely to

Exhibit 4-1
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agricultural uses. The proposed expansion area is currently covered with annual grassland, a rice field, orchards, oak woodland, and riparian woodland vegetation. The proposed asphalt batch plant would be located on a previously disturbed portion of the mine site adjacent to the existing processing area.

LAND USES ON THE EXISTING HAUL ROUTE

The existing haul route is bordered by pastureland and agricultural lands with residences. From Riosa Road to SR 65, the existing haul route goes through the town of Sheridan with residential, commercial, and quasi-public/public land uses including churches and a school (Exhibit 4-2).

IMPORTANT FARMLAND

CALIFORNIA DEPARTMENT OF CONSERVATION IMPORTANT FARMLAND MAPPING AND MONITORING PROGRAM

The California Department of Conservation sponsors the Important Farmland Mapping and Monitoring Program, which delineates important farmland resources in California. The program delineates important farmland based on a particular set of criteria related primarily to water storage capacity and supply, soil temperature, pH, depth to water table, soil sodium content, flooding frequency, permeability, rock fragment content, and rooting depth. Farmland that meets these criteria are placed in one of four main categories in descending order of farming desirability: Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance. The California Department of Conservation's Farmland criteria are included in Appendix B of this EIR.

The central portion of Phase 5 and all of Phase 6 of the proposed expansion area have been classified as Prime Farmland (Exhibit 4-3) (California Department of Conservation 1998). These areas total approximately 125 acres. Approximately 130 acres of Phases 1, 4, and 5 have been classified as Farmland of Statewide Importance (California Department of Conservation 1998). The existing haul route does not pass through land classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Exhibit 4-3) (California Department of Conservation 1998).

NATURAL RESOURCES CONSERVATION SERVICE

The U.S. Department of Agriculture Natural Resources Conservation Service (NRCS) classifies soil types according to their suitability for agricultural use. Chapter 10, Geology, Minerals, and Soils, of this EIR includes a discussion of the soils located within the project site. Approximately 58 acres of NRCS-designated Prime Farmland soil (Xerofluvents, occasionally flooded) are located within Phases 4 and 5, and approximately 38 acres of NRCS-designated Prime Farmland soil (Ramona) occurs within Phase 6 (Exhibit 4-3) (NRCS 1980, California Department of Conservation 1995).

WILLIAMSON ACT

The California Land Conservation Act, also known as the Williamson Act, was adopted by the State of California in 1965 as a means of encouraging the preservation of the state's agricultural lands. To implement the act, a land contract is established whereby the county's board of supervisors stabilizes

taxes on qualifying lands in return for an owner's guarantee to keep the land in agricultural preserve status for 10 years. Each year, on its anniversary date, the contract is automatically renewed unless a Notice of Non-Renewal is filed. None of the parcels on the project site is under a Williamson Act contract.

4.2 PLANNING AND REGULATORY BACKGROUND

A number of local and state regulations, plans, and policies provide a framework for mining and reclamation in Placer and Yuba counties that are relevant to the proposed mine expansion project. Land use issues are addressed in the following:

- ▶ Placer County General Plan
- ▶ Placer County Zoning Ordinance, including Chapter 17, §17.56.270 (Surface Mining and Reclamation) and §17.10.010 (Site Development in the Farm [F] Zone)
- ▶ Yuba County General Plan
- ▶ Yuba County Zoning Ordinance
- ▶ SMARA and SMGB Reclamation Regulations
- ▶ Sheridan General Plan

These regulations, plans, and policies are described below. The land use analysis provides an overview of the regulatory context and a discussion of the consistency of the proposed project with applicable land use regulations, plans, and policies.

PLACER COUNTY GENERAL PLAN

The proposed mine expansion project is located within the jurisdictional boundaries of both Placer and Yuba counties. The general plan land use designations for both jurisdictions as they apply to the proposed project are discussed below and are shown in Table 4-1.

The Placer County General Plan land use diagram includes 13 land use designations to depict the types of land uses allowed in different geographic areas of the unincorporated county. According to the Placer County General Plan (Placer County 1994), the project site and the surrounding lands are designated as "Agriculture, 20 acre minimum." The project site is located outside the boundaries of the Sheridan General Plan.

The "Agriculture" (AG) (10, 20, 40, 80–160 acre minimum) designation identifies land for the production of food and fiber, including areas of prime agricultural soils, and other productive and potentially productive lands where commercial agricultural uses can exist without creating conflicts with other land uses or where potential conflicts can be mitigated. Typical land uses allowed include crop production, orchards and vineyards, grazing, pasture and rangeland, and hobby farms; other resource extraction activities, including mining; facilities that directly support agricultural operations, such as processing of agricultural products; and necessary public utility and safety facilities. Allowable

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residential development in areas designated Agriculture includes one principal dwelling and one secondary dwelling per lot, caretaker/employee housing, and farmworker housing.

Table 4-1 Summary of Land Use/Zoning				
Assessor's Parcel Number	General Plan Land Use Designation	Zoning	Parcel Size (acres)	Owner
Placer County				
18-010-001	Agriculture, 20 acre minimum	F-B-X-20 ac	631.04	AKT Wheatland Ranch LLC
18-031-004	Agriculture, 20 acre minimum	F-B-X-MR-20 ac	13.20	Automatic Aggregate Systems Inc.
18-031-051	Agriculture, 20 acre minimum	F-B-X-MR-20 ac	96.30	AKT Wheatland Ranch LLC
18-031-052	Agriculture, 20 acre minimum	F-B-X-MR-20 ac	69.50	AKT Wheatland Ranch LLC
18-031-053	Agriculture, 20 acre minimum	F-B-X-MR-20 ac	14.70	AKT Wheatland Ranch LLC
18-031-060	Agriculture, 20 acre minimum	F-B-X-MR-20 ac	71.50	Automatic Aggregate Systems Inc.
18-031-061	Agriculture, 20 acre minimum	F-B-X-MR-20 ac	37.40	Automatic Aggregate Systems Inc.
18-031-062	Agriculture, 20 acre minimum	F-B-X-MR-20 ac	3.00	Automatic Aggregate Systems Inc.
18-031-063	Agriculture, 20 acre minimum	F-B-X-MR-20 ac	6.00	Automatic Aggregate Systems Inc.
18-031-078	Agriculture, 20 acre minimum	F-B-X-20 ac	39.70	Automatic Aggregate Systems Inc.
18-140-024	Agriculture, 20 acre minimum	F-B-X-MR-20 ac	40.00	Automatic Aggregate Systems Inc.
18-140-025	Agriculture, 20 acre minimum	F-B-X-MR-20 ac	200.00	Automatic Aggregate Systems Inc.
Yuba County				
15-370-002	Valley Agriculture	AE-10	52.00	AKT Wheatland Ranch LLC
Source: EDAW 2001				

The Placer County General Plan contains goals, policies, standards and implementation programs that constitute the formal policies of Placer County for land use, development, and environmental quality.

The General Plan was reviewed for goals and policies applicable to the proposed mine expansion project. The results are presented in Table 4-2.

PLACER COUNTY ZONING ORDINANCE

An updated Zoning Ordinance was adopted by the Placer County Board of Supervisors in 1995, and subsequent editions have been published, the latest in 2001. The Placer County Zoning Ordinance establishes 22 zones and 13 combining districts for the unincorporated portions of Placer County. The purpose of these zones is to define the land use categories established in the Placer County General Plan through identifying more detailed land use classifications than the categories specified in the General Plan.

Table 4-2 Land Use Plan Consistency Analysis	
Placer County General Plan	
<i>General Land Use</i>	
Goal 1.A:	To promote the wise, efficient, and environmentally-sensitive use of Placer County lands to meet the present and future needs of Placer County residents and businesses.
<u><i>Consistent.</i></u>	The proposed project would continue aggregate mining adjacent to the ongoing mining operations, and would supply sand, gravel, and asphaltic concrete to homes and businesses in Placer County. Mitigation measures proposed by the applicant and required by this EIR would reduce most environmental impacts to a less-than-significant level. Certain impacts related to farmland conversion, air quality, and health-risk, however, would remain significant and unavoidable.
Policy 1.A.1:	The County will promote the efficient use of land and natural resources.
<u><i>Consistent.</i></u>	The proposed project would include efficient use of land and natural resources.
<i>Industrial Land Use</i>	
Goal 1.E:	To designate adequate land for and promote development of industrial uses to meet the present and future needs of Placer County residents for jobs and maintain economic vitality.
<u><i>Consistent.</i></u>	The proposed project would continue aggregate mining adjacent to the ongoing mining operations. The proposed project would extend the life of the mine, thereby increasing the length of time when mine employees would be needed. The proposed asphalt batch plant would add up to three new jobs.
Policy 1.E.1:	The County shall only approve new industrial development that has the following characteristics: <ul style="list-style-type: none"> a. Adequate infrastructure and services; b. Convenient connections to the regional transportation network, including connections to existing transit and other non-automobile transportation; c. Sufficient buffering from residential areas to avoid impacts associated with noise,

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	<p>odors and the potential release of hazardous materials;</p> <p>d. Minimal significant adverse environmental impacts; and</p> <p>e. Minimal adverse effects on scenic routes, recreation areas, and public vistas.</p>
<u><i>Consistent</i></u>	<p>The proposed project has adequate infrastructure and services and an existing connection exists to the main highway. Sufficient buffering does exist as the county buffering criteria requires a minimum of 300 feet, or 100 feet if landscaped berms are used [Land Use Section, page 22, Planning Standard 2], which berm mitigation is proposed in the EIR (Mitigation Measure R9-2). Mitigation measures proposed by the applicant and required by this EIR would reduce most environmental impacts to a less-than-significant level. The site is not on a designated scenic route or in a recreation area. Public vistas will not substantially change given that the project is the expansion of an already long-existing operation.</p>
<i>Agricultural Land Use</i>	
Goal 1.H:	To designate adequate agricultural land and promote development of agricultural uses to support the continued viability of Placer County's agricultural economy.
<u><i>Consistent.</i></u>	<p>The proposed project includes phased mining of agricultural land supporting walnuts and rice. According to AKT Wheatland Ranch LLC property owners, the walnut orchards in Phases 4 and 5 will have reached their useful lifetime by the time mining of these phases would occur (after 2025) (Carlton Engineering, Inc., 2003). Mining and reclamation in Phase 6 would interrupt rice production for approximately 4 years. Following the conclusion of the mining phase, 254 acres of farmland would be reestablished (see Impact 4-1).</p>
Policy 1.H.5:	The County shall require development within or adjacent to designated agricultural areas to incorporate design, construction, and maintenance techniques that protect agriculture and minimize conflicts with adjacent agricultural land uses.
<u><i>Consistent.</i></u>	<p>No new permanent nonagricultural development is proposed. No new residences would be constructed, and the proposed project would not result in land use conflicts with existing or reclaimed agricultural uses.</p>
Policy 1.H.6:	The County shall require new non-agricultural development immediately adjacent to agricultural lands to be designed to provide a buffer in the form of a setback of sufficient distance to avoid land use conflicts between the agricultural uses and non-agricultural uses. Such setback or buffer areas shall be established by recorded easement or other instrument, subject to the approval of County Counsel. A method and mechanism (e.g., a homeowners association or easement dedication to a non-profit organization or public entity) for guaranteeing the maintenance of this land in a safe and orderly manner shall be also established at the time of development approval.
<u><i>Consistent.</i></u>	<p>No new permanent nonagricultural development is proposed. No new residences would be constructed, and the proposed project would not result in land use conflicts with existing or reclaimed agricultural uses.</p>

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<i>Open Space, Habitat, and Wildlife Resources</i>	
Goal 1.I:	To establish and maintain interconnected greenbelts and open spaces for the protection of native vegetation and wildlife and for the community's enjoyment.
<u>Consistent.</u>	The proposed project includes preservation of the Bear River riparian corridor through the project site. This corridor connects the South Preservation Area, the reclaimed pond, and the Bear River corridor upstream and downstream of the project site.
Policy 1.I.1:	The County shall require that significant natural, open space, and cultural resources be identified in advance of development and incorporated into site-specific development project design. The Planned Residential Developments (PDs) and the Commercial Planned Development (CPD) provisions of the <i>Zoning Ordinance</i> can be used to allow flexibility for this integration with valuable site features.
<u>Consistent.</u>	Site-specific cultural and biological resource surveys were conducted within the proposed project site. No cultural resources were found within the project site. The proposed project would avoid and protect the Bear River corridor and large stands of oak woodland. In addition, mitigation measures proposed by the applicant and required by this EIR would reduce all environmental impacts on sensitive biological resources to a less-than-significant level.
Policy 1.I.2:	The County shall require that development be planned and designed to avoid areas rich in wildlife or of a fragile ecological nature (e.g., areas of rare or endangered plant species, riparian areas). Alternatively, where avoidance is infeasible or where equal or greater ecological benefits can be obtained through off-site mitigation, the County shall allow project proponents to contribute to off-site mitigation efforts in lieu of on-site mitigation.
<u>Consistent.</u>	The proposed project would avoid and protect the Bear River corridor and large stands of oak woodland. In addition, mitigation measures proposed by the applicant and required by this EIR would reduce all environmental impacts on sensitive biological resources to a less-than-significant level.
<i>Mineral Resources</i>	
Goal 1.J:	To encourage commercial mining operations within areas designated for such extraction, where environmental, aesthetic, and adjacent land use compatibility impacts can be adequately mitigated.
<u>Consistent.</u>	The General Plan Land Use and Zoning designations for the project site allow mineral extraction. Mitigation measures proposed by the applicant and required by this EIR would reduce most environmental impacts to a less-than-significant level. Certain impact related to farmland conversion, air quality, and health-risk, however, would remain significant and unavoidable. The applicant appears to be implementing all feasible measures to reduce environmental and land use compatibility impacts. The determination regarding project consistency with this policy will be made by the Placer County Board of Supervisors.

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Policy 1.J.1:	The County shall require new mining operations to be designed to provide a buffer between existing or likely adjacent uses, minimize incompatibility with nearby uses, and adequately mitigate their environmental and aesthetic impacts.
<u><i>Consistent.</i></u>	The buffer requirements of 100 feet with a landscaped buffer berm in the general plan are met here. In addition, incompatibility with nearby uses has been minimized and environmental impacts mitigated to the extent feasible. The determination regarding project consistency with this policy will be made by the Placer County Board of Supervisors.
Policy 1.J.5:	The County shall require that all mining operations prepare and implement reclamation plans that mitigate environmental impacts and incorporate adequate security to guarantee proposed reclamation.
<u><i>Consistent.</i></u>	The draft mine reclamation plan (Carlton Engineering, Inc., 2003) includes measures to mitigate certain environmental impacts, and this EIR requires additional measures to reduce project impacts. Most environmental impacts would be reduced to a less-than-significant level. Certain impacts related to farmland conversion, air quality, and health-risk, however, would remain significant and unavoidable. The proposed project would include adequate financial assurances to guarantee the proposed reclamation.
Policy 1.J.6:	The County shall require that plans for mining operations incorporate adequate measures to minimize impacts to local residents and county roadways.
<u><i>Consistent.</i></u>	The draft mine reclamation plan (Carlton Engineering, Inc., 2003) includes measures to mitigate certain environmental impacts, and this EIR requires additional measures to reduce project impacts. Most environmental impacts would be reduced to a less-than-significant level. Certain impacts related to farmland conversion, air quality, and health-risk, however, would remain significant and unavoidable. The proposed project would include adequate financial assurances to guarantee the proposed reclamation. Traffic impacts would be less-than-significant.
<i>Visual and Scenic Resources</i>	
Goal 1.K:	To protect the visual and scenic resources of Placer County as important quality-of-life amenities for county residents and a principal asset in the promotion of recreation and tourism.
<u><i>Consistent.</i></u>	As discussed in Chapter 5, Visual Resources, of this EIR, mitigation measures would reduce project impacts related to visual and scenic resources to a less-than-significant level.
Policy 1.K.3:	The County shall require that new development in rural areas incorporates landscaping that provides a transition between the vegetation in developed areas and adjacent open space or undeveloped areas.
<u><i>Consistent.</i></u>	The proposed project does not include permanent development. The proposed project would reclaim the mined areas to agricultural, lake, and natural habitat uses that would visually blend with the surrounding land uses.

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Policy 1.K.4:	The County shall require that new development incorporates sound soil conservation practices and minimizes land alterations. Land alterations should comply with the following guidelines: <ul style="list-style-type: none"> a. Limit cuts and fills; b. Limit grading to the smallest practical area of land; c. Limit land exposure to the shortest practical amount of time; d. Replant graded areas to ensure establishment of plant cover before the next rainy season; and e. Create grading contours that blend with the natural contours on site or with contours on property immediately adjacent to the area of development.
<u><i>Consistent.</i></u>	Proposed grading, including cuts and fills, would be the minimum required for mineral extraction. Phasing would limit land exposure to the shortest practical amount of time. Graded areas would be replanted as soon as practicable. During reclamation, the mine pits would be backfilled with soil (agricultural areas) or allowed to flood (lake). This would help the post-mining contours blend better with the natural environment.
Policy 1.K.5:	The County shall require that new roads, parking and utilities be designed to minimize visual impacts. Unless limited by geological or engineering constraints, utilities should be installed underground and roadways and parking areas should be designed to fit the natural terrain.
<u><i>Consistent.</i></u>	No new utility lines are proposed.
<i>Jobs-housing Balance</i>	
Goal 1.M:	To work toward a jobs-housing balance.
<u><i>Consistent.</i></u>	The proposed project would extend the life of the mine for approximately 20–30 years, and would create up to three new jobs for the asphalt batch plant. It is expected that some of the workers hired for the three newly created jobs, and some of the workers who would replace existing workers when they leave their positions, would reside in the Sheridan area.
Policy 1.M.3:	The County shall encourage the creation of primary wage-earner jobs, or housing which meets projected income levels, in those areas of Placer County where an imbalance between jobs and housing exists.
<u><i>Consistent.</i></u>	The newly created jobs and the job opportunities provided by the extended life of the mine would provide additional jobs for primary wage-earners.
<i>Economic Development</i>	
Goal 1.N:	To maintain a healthy and diverse local economy that meets the present and future employment, shopping, recreational, public safety, and service needs of Placer County residents and to expand the economic base to better serve the needs of residents.
<u><i>Consistent.</i></u>	The proposed project would provide continued employment opportunities and would create up to three new jobs in the Sheridan area.

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Policy 1.N.3:	The County shall endeavor to protect the natural resources upon which the county's basic economy (e.g., recreation, forestry, agriculture, mining, and tourism) is dependent.
<u>Consistent.</u>	The proposed project would extract and process aggregate resources, and would reclaim agricultural land uses following phased mining activities. The proposed project would not adversely affect Placer County's natural resources, upon which the county's basic economy is dependent.
<i>Development Form and Design</i>	
Goal 1.O:	To promote and enhance the quality and aesthetics of development in Placer County.
<u>Consistent.</u>	The proposed project does not include new permanent development. Mining activities would largely be screened by tall riparian vegetation and by the proposed landscape buffer for Phase 6. Processing activities would be similar to current processing activities. After mining, the site would be reclaimed to agriculture, lake, and natural habitat land uses that would visually blend with the surrounding land uses.
Policy 1.O.9:	The County shall discourage the use of outdoor lighting that shines unnecessarily onto adjacent properties or into the night sky.
<u>Consistent.</u>	As discussed in Impact 5-3 of this EIR, all lighting fixtures would be required to comply with Placer County Design Guidelines, ensuring that outdoor lighting would not shine unnecessarily onto adjacent properties or into the night sky.
<i>Streets and Highways</i>	
Goal 3.A:	To provide for the long-range planning and development of the county's roadway system to ensure the safe and efficient movement of people and goods.
Policy 3.A.5:	Through-traffic shall be accommodated in a manner that discourages the use of neighborhood roadways, particularly local streets. This through-traffic, including through truck traffic, shall be directed to appropriate routes in order to maintain public safety and local quality of life.
<u>Consistent.</u>	All project-related truck traffic would be routed via truck routes designated for the purposes of maintaining public safety and local quality of life. Light-duty vehicles would continue to travel via existing roadways.
Policy 3.A.6:	The County shall require all new development to provide off-street parking, either on-site or in consolidated lots or structures.
<u>Consistent.</u>	All project-related vehicles would be parked within existing onsite parking areas.
Policy 3.A.7:	The County shall develop and manage its roadway system to maintain the following minimum levels of service (LOS). <ul style="list-style-type: none"> a. LOS "C" on rural roadways, except within one-half mile of state highways where the standard shall be LOS "D." b. LOS "C" on urban/suburban roadways except within one-half mile of state highways

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<p>where the standard shall be LOS “D.”</p> <p>The County may allow exceptions to these level of service standards where it finds that the improvements or other measures required to achieve the LOS standards are unacceptable based on established criteria. In allowing any exception to the standards, the County shall consider the following factors:</p> <ul style="list-style-type: none"> ▶ The number of hours per day that the intersection or roadway segment would operate at conditions worse than the standard. ▶ The ability of the required improvement to significantly reduce peak hour delay and improve traffic operations. ▶ The right-of-way needs and the physical impacts on surrounding properties. ▶ The visual aesthetics of the required improvement and its impact on community identity and character. ▶ Environmental impacts including air quality and noise impacts. ▶ Construction and right-of-way acquisition costs. ▶ The impacts on general safety. ▶ The impacts of the required construction phasing and traffic maintenance. ▶ The impacts on quality of life as perceived by residents. ▶ Consideration of other environmental, social, or economic factors on which the County may base findings to allow an exceedance of the standards. <p>Exceptions to the standards will only be allowed after all feasible measures and options are explored, including alternative forms of transportation.</p>	<p><u>Consistent.</u> As discussed in Chapter 7, Traffic, of this EIR, the proposed project would not cause exceedance of the standards stated in this policy.</p>
<p>Policy 3.A.12: The County shall require an analysis of the effects of traffic from all land development projects. Each such project shall construct or fund improvements necessary to mitigate the effects of traffic from the proposed project. Such improvements may include a fair share of improvements that provide benefits to others.</p>	<p><u>Consistent.</u> Chapter 7, Traffic, of this EIR analyzes the effects of project-related traffic. No significant traffic effects would result from implementation of the proposed project.</p>
<p>Policy 3.A.14: The County shall assess fees on new development sufficient to cover the fair share portion of that developments’s impacts on the local and regional transportation system. Exceptions may be made when new development generates significant public benefits (e.g., low income housing, needed health facilities) and when alternative sources of funding can be identified to offset foregone revenues.</p>	<p><u>Consistent.</u> Chapter 7, Traffic, of this EIR analyzes the effects of project-related traffic. No significant traffic impacts would result from implementation of the proposed project.</p>

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<i>Transportation Systems Management (TSM)</i>	
Goal 3.C:	To maximize the efficient use of transportation facilities so as to: 1) reduce travel demand on the county's roadway system; 2) reduce the amount of investment required in new or expanded facilities; 3) reduce the quantity of emissions of pollutants from automobiles; and 4) increase the energy-efficiency of the transportation system.
Policy 3.C.4:	During the development review process, the County shall require that proposed projects meet adopted <i>Trip Reduction Ordinance</i> (TRO) requirements.
<u>Consistent.</u>	Placer County will require the proposed project to meet any adopted TRO requirements.
<i>General Public Facilities and Services</i>	
Goal 4.A:	To ensure the timely development of public facilities and the maintenance of specified service levels for these facilities.
Policy 4.A.1:	Where new development requires the construction of new public facilities, the new development shall fund its fair share of the construction. The County shall require dedication of land within newly developing areas for public facilities, where necessary.
<u>Consistent.</u>	The EIR does not identify any significant project impacts related to additional demand for public facilities or services.
Policy 4.A.2:	The County shall ensure through the development review process that adequate public facilities and services are available to serve new development. The County shall not approve new development where existing facilities are inadequate unless the following conditions are met: <ul style="list-style-type: none"> a. The applicant can demonstrate that all necessary public facilities will be installed or adequately financed (through fees or other means); and b. The facilities improvements are consistent with applicable facility plans approved by the County or with agency plans where the County is a participant.
<u>Consistent.</u>	The EIR does not identify any significant project impacts related to additional demand for public facilities or services.
<i>Public Facilities and Services Funding</i>	
Goal 4.B:	To ensure that adopted facility and service standards are achieved and maintained through the use of equitable funding methods.
<u>Consistent.</u>	The EIR does not identify any significant project impacts related to additional demand for public facilities or services.
Policy 4.B.1:	The County shall require that new development pay its fair share of the cost of all existing facilities it uses based on the demand for these facilities attributable to the new development; exceptions may be made when new development generates significant public benefits (e.g., low income housing, needed health facilities) and when alternative sources of funding can be identified to offset foregone revenues.

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<u>Consistent.</u>	The EIR does not identify any significant project impacts related to additional demand for public facilities or services.
Policy 4.B.2:	The County shall require that new development pay the cost of upgrading existing public facilities or construction of new facilities that are needed to serve the new development; exceptions may be made when new development generates significant public benefits (e.g., low income housing, needed health facilities) and when alternative sources of funding can be identified to offset foregone revenues.
<u>Consistent.</u>	The EIR does not identify any significant project impacts related to additional demand for public facilities or services.
Policy 4.B.3:	The County shall require, to the extent legally possible, that new development pay the cost of providing public services that are needed to serve the new development; exceptions may be made when new development generates significant public benefits (e.g., low income housing, needed health facilities) and when alternative sources of funding can be identified to offset foregone revenues. This includes working with the cities to require new development within city limits to mitigate impacts on countywide facilities and services.
<u>Consistent.</u>	The EIR does not identify any significant project impacts related to additional demand for public facilities or services.
Policy 4.B.5:	When adopting, amending, and imposing fees and developer exactions, the County shall consider the effects of such fees and exactions on project economics and the County's development goals, and for residential development, housing affordability. This consideration shall recognize any increase in the value of property resulting from County-granted entitlements, including the redesignation of agricultural land for development.
<u>Consistent.</u>	The County will consider the effects of such fees and exactions on project economics and the County's development goals.
Policy 4.B.6:	The County shall require the preparation of a fiscal impact analysis for all major land development projects. The analysis will examine the fiscal impacts on the County and other service providers which result from large-scale development. A major project is a residential project with 100 or more dwelling units or a commercial, professional office or industrial development on 10 or more acres of land.
<u>Consistent.</u>	A fiscal impact analysis will be prepared for this project.
<i>Water Supply and Delivery</i>	
Goal 4.C:	To ensure the availability of an adequate and safe water supply and the maintenance of high quality water in water bodies and aquifers used as sources of domestic supply.
<u>Consistent.</u>	As analyzed in Chapter 11, Water Resources, and Section 1.4 of this EIR, the proposed project, including recommended mitigation measures, would not result in significant adverse effects on the quality or quantity of domestic water supply sources.

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Policy 4.C.1:	The County shall require proponents of new development to demonstrate the availability of a long-term, reliable water supply. The County shall require written certification from the service provider that either existing services are available or needed improvements will be made prior to occupancy. Where the County will approve groundwater as the domestic water source, test wells, appropriate testing, and/or report(s) from qualified professionals will be required substantiating the long-term availability of suitable groundwater.
<u>Consistent.</u>	As discussed in Section 1.4 of this EIR, the proposed project is not expected to increase the mine's usage of process water, and the proposed project would be adequately served by bottled water and by a previously approved potable well.
Policy 4.C.2:	The County shall approve new development based on the following guidelines for water supply: <ul style="list-style-type: none"> i. Urban and suburban development should rely on public water systems using surface supply. ii. Rural communities should rely on public water systems. In cases where parcels are larger than those defined as suburban and no public water system exists or can be extended to the property, individual wells may be permitted. iii. Agricultural areas should rely on public water systems where available, otherwise individual water wells are acceptable.
<u>Consistent.</u>	As discussed in Section 1.4 of this EIR, the proposed project is not expected to increase the mine's usage of process water, and the proposed project would be adequately served by bottled water and by a previously approved potable well.
Policy 4.C.5:	The County shall require that new development adjacent to bodies of water used as domestic water sources adequately mitigate potential water quality impacts on these water bodies.
<u>Consistent.</u>	As discussed in Chapter 11, Water Resources, of this EIR, the proposed project, including recommended mitigation measures, would not result in significant adverse effects on the quality of domestic water sources.
Stormwater Drainage	
Goal 4.E:	To collect and dispose of stormwater in a manner that least inconveniences the public, reduces potential water-related damage, and enhances the environment.
<u>Consistent.</u>	Mitigation measures specified in Chapter 11, Water Resources, of this EIR would ensure that stormwater runoff would not result in significant adverse effects on water quality.
Policy 4.E.1:	The County shall encourage the use of natural stormwater drainage systems to preserve and enhance natural features.
<u>Consistent.</u>	Following completion of mining activities, the site would be reclaimed to agriculture, lake, and natural habitat land uses and stabilized with vegetation. Stormwater drainage would occur via overland flow and through drainage ditches similar to those now located in the agricultural expansion areas.

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Policy 4.E.11:	The County shall require new development to adequately mitigate increases in stormwater peak flows and/or volume. Mitigation measures should take into consideration impacts on adjoining lands in the unincorporated area and on properties in jurisdictions within and immediately adjacent to Placer County.
<u>Consistent.</u>	As discussed in Chapter 11 (Water Resources) of this EIR, the project would not increase in stormwater peak flows or volumes.
Policy 4.E.14:	The County shall require projects that have significant impacts on the quantity and quality of surface water runoff to allocate land as necessary for the purpose of detaining post-project flows and/or for the incorporation of mitigation measures for water quality impacts related to urban runoff.
<u>Consistent.</u>	As discussed in Chapter 11, Water Resources, of this EIR, proposed and recommended mitigation measures would ensure that the proposed project would not result in significant impacts on the quantity or quality of surface water.
<i>Flood Protection</i>	
Goal 4.F:	To protect the lives and property of the citizens of Placer County from hazards associated with development in floodplains and manage floodplains for their natural resource values.
<u>Consistent.</u>	As discussed in Chapter 11, Water Resources, of this EIR, the proposed project would not adversely affect property or structures within the floodplain, nor would it substantially increase the likelihood of injuries to humans. The proposed project would preserve the Bear River riparian corridor to protect its natural resource values.
Policy 4.F.1:	The County shall require that arterial roadways and expressways, residences, commercial and industrial uses and emergency facilities be protected, at a minimum, from a 100-year storm event.
<u>Consistent.</u>	As discussed in Chapter 11, Water Resources, of this EIR, the proposed project, including proposed and recommended mitigation measures, would not result in significant adverse impacts related to a 100-year storm event.
Policy 4.F.4:	The County shall require evaluation of potential flood hazards prior to approval of development projects. The County shall require proponents of new development to submit accurate topographic and flow characteristics information and depiction of the 100-year floodplain boundaries under fully-developed, unmitigated runoff conditions.
<u>Consistent.</u>	This EIR evaluates the potential flood hazards of the proposed project, and includes topographic and flow information of 100-year floodplain boundaries under existing and developed unmitigated runoff conditions. The proposed project would not result in substantial flood hazards.
Policy 4.F.5:	The County shall attempt to maintain natural conditions within the 100-year floodplain of all rivers and streams except under the following circumstances: a. Where work is required to manage and maintain the stream's drainage characteristics

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	and where such work is done in accordance with the <i>Placer County Flood Damage Prevention Ordinance</i> . California Department of Fish and Game regulations, and Clean Water Act provisions administered by the U.S. Army Corps of Engineers; or b. When facilities for the treatment of urban runoff can be located in the floodplain, provided that there is no destruction of riparian vegetation.
<u>Consistent.</u>	The proposed project would preserve and protect the Bear River corridor, including its riparian and aquatic habitat. Although work is proposed within an area subject to 100-year flooding, much of this area has already been altered for agriculture.
Policy 4.F.6:	The County shall continue to coordinate efforts with local, state, and federal agencies to achieve adequate water quality and flood protection.
<u>Consistent.</u>	Appropriate local, state, and federal agencies will be provided an opportunity to review and comment on this EIR, including the water quality and flood protection measures of the proposed project.
Policy 4.F.10:	The County shall preserve or enhance the aesthetic qualities of natural drainage courses in their natural or improved state compatible with flood control requirements and economic, environmental, and ecological factors.
<u>Consistent.</u>	The proposed project would preserve and protect the Bear River corridor, including its riparian and aquatic habitat.
Law Enforcement	
Goal 4.H:	To provide adequate sheriff's services to deter crime and to meet the growing demand for services associated with increasing population and commercial/industrial development in the county.
<u>Consistent.</u>	As discussed in Section 1.4 of this EIR, the proposed project would not substantially increase demand for law enforcement services.
Fire Protection Service	
Goal 4.I:	To protect residents of and visitors to Placer County from injury and loss of life and to protect property and watershed resources from fires.
<u>Consistent.</u>	As discussed in Chapter 6, Public Services, of this EIR, the proposed project would not substantially increase the likelihood of a fire or the need for fire protection services.
Policy 4.I.3:	The County shall require new development to develop or fund fire protection facilities, personnel, and operations and maintenance that, at a minimum, maintains the above service level standards.
<u>Consistent.</u>	As discussed in Chapter 6, Public Services, of this EIR, the proposed project would not substantially increase the likelihood of a fire or the need for fire protection services.

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Policy 4.I.9:	The County shall ensure that all proposed developments are reviewed for compliance with fire safety standards by responsible local fire agencies per the <i>Uniform Fire Code</i> and other County and local ordinances.
<u><i>Consistent.</i></u>	The California Department of Forestry and Fire Protection (CDF) will be provided an opportunity to review the proposed project for compliance with fire safety standards, the <i>Uniform Fire Code</i> , and other Placer County ordinances.
<i>Cultural Resources</i>	
Goal 5.D:	To identify, protect, and enhance Placer County's important historical, archaeological, paleontological, and cultural sites and their contributing environment.
<u><i>Consistent.</i></u>	The cultural resources reports prepared by Jensen & Associates and Peak & Associates concluded that no known cultural resources occur within the mine expansion area. Mitigation Measure 15-2 requires the project applicant to mitigate impacts if any previously unknown cultural resources are found.
Policy 5.D.3:	The County shall solicit the views of the Native American Heritage Commission and/or the local Native American community in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance.
<u><i>Consistent.</i></u>	The cultural resources reports prepared by Jensen & Associates and Peak & Associates concluded that no known Native American sites occur within the mine expansion area. Mitigation Measure 15-2 requires the project applicant to consult with the Native American Heritage Commission if previously unknown Native American cultural resources are found.
Policy 5.D.6:	The County shall require that discretionary development projects identify and protect from damage, destruction, and abuse, important historical, archaeological, paleontological, and cultural sites and their contributing environment. Such assessments shall be incorporated into a countywide cultural resource data base, to be maintained by the Department of Museums.
<u><i>Consistent.</i></u>	The cultural resources reports prepared by Jensen & Associates and Peak & Associates concluded that no known cultural resources occur within the mine expansion area. Mitigation Measure 15-2 requires the project applicant to mitigate impacts if any previously unknown cultural resources are found. As discussed in Impact 10-5, no known paleontological resources are known to occur within the proposed mine expansion areas. Mitigation Measure 10-5 requires the applicant to mitigate impacts if any previously unknown paleontological resources are found.
Policy 5.D.7:	The County shall require that discretionary development projects are designed to avoid potential impacts to significant paleontological or cultural resources whenever possible. Unavoidable impacts, whenever possible, shall be reduced to a less than significant level and/or shall be mitigated by extracting maximum recoverable data. Determinations of impacts, significance, and mitigation shall be made by qualified archaeological (in

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	consultation with recognized local Native American groups), historical, or paleontological consultants, depending on the type of resource in question.
<u><i>Consistent.</i></u>	The cultural resources reports prepared by Jensen & Associates and Peak & Associates concluded that no known cultural resources occur within the mine expansion area. Mitigation Measure 15-2 requires the project applicant to mitigate impacts if any previously unknown cultural resources are found. As discussed in Impact 10-5, no known paleontological resources are known to occur within the proposed mine expansion areas. Mitigation Measure 10-5 requires the applicant to mitigate impacts if any previously unknown paleontological resources are found.
<i>Water Resources</i>	
Goal 6.A:	To protect and enhance the natural qualities of Placer County's streams, creeks and groundwater.
Policy 6.A.1:	<p>The County shall require the provision of sensitive habitat buffers which shall, at a minimum, be measured as follows: 100 feet from the centerline of perennial streams, 50 feet from centerline of intermittent streams, and 50 feet from the edge of sensitive habitats to be protected including riparian zones, wetlands, old growth woodlands, and the habitat of rare, threatened or endangered species (see discussion of sensitive habitat buffers in Part I of this <i>Policy Document</i>). Based on more detailed information supplied as a part of the review for a specific project, the County may determine that such setbacks are not applicable in a particular instance or should be modified based on the new information provided. The County may, however, allow exceptions, such as in the following cases:</p> <ul style="list-style-type: none"> a. Reasonable use of the property would otherwise be denied; b. The location is necessary to avoid or mitigate hazards to the public; c. The location is necessary for the repair of roads, bridges, trails, or similar infrastructure; or iv. The location is necessary for the construction of new roads, bridges, trails, or similar infrastructure where the County determines there is no feasible alternative and the project has minimized environmental impacts through project design and infrastructure placement.
<u><i>Consistent.</i></u>	<p>The proposed project would not include new mining or levee construction within 100 feet of the centerline of the Bear River. Mining of Phase 5 would remove about 3 acres of riparian woodland. Phases 3 and 5 would include mining and reclamation within 50 feet of the Central and South Preservation Areas that support potential VELB habitat.</p> <p>The proposed project, with implementation of the EIR mitigation measures, would not result in significant impacts on these resources. The proposed mining areas would be internally drained, and the applicant would update the best management practices (BMPs) included in the current SWPPP for the mine to protect these resources from inadvertent discharges. Activities that may directly affect riverine, riparian, or wetland habitat would be regulated by the California Department of Fish and Game (CDFG) pursuant to §1602 of the California Fish and Game Code.</p>

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Policy 6.A.2:	The County shall require all development in the 100-year floodplain to comply with the provisions of the <i>Placer County Flood Damage Prevention Ordinance</i> .
<u>Consistent.</u>	No new structures are proposed within areas subject to 100-year flooding.
Policy 6.A.3:	<p>The County shall require development projects proposing to encroach into a creek corridor or creek setback to do one or more of the following, in descending order of desirability:</p> <ol style="list-style-type: none"> Avoid the disturbance of riparian vegetation; Replace riparian vegetation (on-site, in-kind); Restore another section of creek (in-kind); and/or Pay a mitigation fee for restoration elsewhere (e.g., wetland mitigation banking program).
<u>Consistent.</u>	<p>The proposed project would not include new mining or levee construction within 100 feet of the centerline of the Bear River. Mining of Phase 5 would remove about 3 acres of riparian woodland. In the eastern portion of Phase 1, proposed reclamation activities would occur within 50 feet of the riparian scrub habitat supported by the Bear River.</p> <p>The proposed project, with implementation of the EIR mitigation measures, would not result in significant impacts on these resources. Specifically, the proposed project would avoid disturbance of most riparian vegetation along the Bear River, and includes revegetation of at least 6 acres of riparian woodland. Activities that may directly affect, riverine, riparian, or wetland habitat may be regulated by CDFG pursuant to §1602 of the California Fish and Game Code. Mitigation Measure R12-1 requires the project applicant to comply with §1602, and to implement any further protective measures required by CDFG.</p>
Policy 6.A.4:	<p>Where creek protection is required or proposed, the County should require public and private development to:</p> <ol style="list-style-type: none"> Preserve creek corridors and creek setback areas through easements or dedications. Parcel lines (in the case of a subdivision) or easements (in the case of a subdivision or other development) shall be located to optimize resource protection. If a creek is proposed to be included within an open space parcel or easement, allowed uses and maintenance responsibilities within that parcel or easement should be clearly defined and conditioned prior to map or project approval; Designate such easement or dedication areas (as described in a. above) as open space; Protect creek corridors and their habitat value by actions such as: 1) providing an adequate creek setback, 2) maintaining creek corridors in an essentially natural state, 3) employing creek restoration techniques where restoration is needed to achieve a natural creek corridor, 4) utilizing riparian vegetation within creek corridors, and where possible, within creek setback areas, 5) prohibiting the planting of invasive, non-native plants (such as vinca major and eucalyptus) within creek corridors or creek setbacks and 6) avoiding tree removal within creek corridors; Provide recreation and public access near creeks consistent with other General Plan policies; Use design, construction, and maintenance techniques that ensure development near a

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	<p>creek will not cause or worsen natural hazards (such as erosion, sedimentation, flooding, or water pollution) and will include erosion and sediment control practices such as: 1) turbidity screens and other management practices, which shall be used as necessary to minimize siltation sedimentation and erosion and shall be left in place until disturbed areas; and/or are stabilized with permanent vegetation that will prevent the transport of sediment off site; and 2) temporary vegetation sufficient to stabilize disturbed areas.</p> <p>f. Provide for long-term creek corridor maintenance by providing a guaranteed financial commitment to the County which accounts for all anticipated maintenance activities.</p>
<u>Consistent.</u>	The applicant proposes to avoid the Bear River corridor. The river would continue to pass through private land during and after mining activities.
Policy 6.A.5:	The County shall continue to require the use of feasible and practical BMPs to protect streams from the adverse effects of construction activities and urban runoff and to encourage the use of BMPs for agricultural activities.
<u>Consistent.</u>	The mining and processing areas are internally drained. The applicant would update the BMPs included in the current SWPPP for the mine to protect the Bear River from inadvertent discharges.
Policy 6.A.6:	The County shall require that natural watercourses are integrated into new development in such a way that they are accessible to the public and provide a positive visual element.
<u>Consistent.</u>	The project site is located on private land. No public river access is currently available, and none is proposed. The proposed project would not adversely affect the visual quality of the Bear River or its riparian habitat.
Policy 6.A.7:	The County shall discourage grading activities during the rainy season, unless adequately mitigated, to avoid sedimentation of creeks and damage to riparian habitat.
<u>Consistent.</u>	Mining, levee construction, and reclamation activities would occur year-round. The mining and processing areas are internally drained. The applicant would update the BMPs included in the current SWPPP for the mine to protect the Bear River from inadvertent discharges.
Policy 6.A.8:	Where the stream environment zone has previously been modified by channelization, fill, or other human activity, the County shall require project proponents to restore such areas by means of landscaping, revegetation, or similar stabilization techniques as a part of development activities.
<u>Consistent.</u>	The proposed project includes reclamation of the site to lakes, ponds, natural habitat, and agricultural uses. Reclamation includes slope stabilization and revegetation.
Policy 6.A.10:	<p>The County shall protect groundwater resources from contamination and further overdraft by pursuing the following efforts:</p> <ul style="list-style-type: none"> a. Identifying and controlling sources of potential contamination; b. Protecting important groundwater recharge areas;

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	<ul style="list-style-type: none"> c. Encouraging the use of surface water to supply major municipal and industrial consumptive demands; d. Encouraging the use of treated wastewater for groundwater recharge; and e. Supporting major consumptive use of groundwater aquifer(s) in the western part of the county only where it can be demonstrated that this use does not exceed safe yield and is appropriately balanced with surface water supply to the same area.
<u>Consistent.</u>	As discussed in EIR Section 1.4, the proposed project would not increase the volume or rate of groundwater usage. As discussed in Chapter 11, Mitigation Measure R11-3 would reduce the projects affects on nearby water supply wells to a less-than-significant level. The applicant would update the BMPs included in the current SWPPP for the mine to protect groundwater quality.
Policy 6.A.12:	The County shall encourage the protection of floodplain lands and where appropriate, acquire public easements for purposes of flood protection, public safety, wildlife preservation, groundwater recharge, access and recreation.
<u>Consistent.</u>	The project site is located on private land, currently used for aggregate mining and agriculture. The mine site would be reclaimed to lakes, ponds, wildlife habitat, and agricultural uses, and would remain privately owned.
<i>Wetland and Riparian Areas</i>	
Goal 6.B:	To protect wetland communities and related riparian areas throughout Placer County as valuable resources.
Policy 6.B.1:	The County shall support the “no net loss” policy for wetland areas regulated by the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the California Department of Fish and Game. Coordination with these agencies at all levels of project review shall continue to ensure that appropriate mitigation measures and the concerns of these agencies are adequately addressed.
<u>Consistent.</u>	The proposed project would include removal of 3 acres of riparian woodland, to be compensated with revegetation of at least 6 acres of riparian woodland habitat. The proposed project would not affect wetland habitat (see Impact 12-1). The U.S. Army Corps of Engineers (USACE), the U.S. Fish and Wildlife Service (USFWS), and CDFG have been consulted regarding the proposed project, and are expected to exercise their regulatory authority over applicable components of the proposed project.
Policy 6.B.2:	The County shall require new development to mitigate wetland loss in both regulated and non-regulated wetlands to achieve “no net loss” through any combination of the following, in descending order of desirability: (1) avoidance; (2) where avoidance is not possible, minimization of impacts on the resource; or (3) compensation, including use of a mitigation banking program that provides the opportunity to mitigate impacts to rare, threatened, and endangered species and/or the habitat which supports these species in wetland and riparian areas.
<u>Consistent.</u>	The proposed project would not affect wetland habitat (see Impact 12-1).

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Policy 6.B.4:	The County shall strive to identify and conserve remaining upland habitat areas adjacent to wetlands and riparian areas that are critical to the survival and nesting of wetland and riparian species.
<u><i>Consistent.</i></u>	No upland areas have been identified as critical to the survival and nesting of wetland and riparian species that would be affected by the proposed project.
Policy 6.B.5:	The County shall require development that may affect a wetland to employ avoidance, minimization, and/or compensatory mitigation techniques. In evaluating the level of compensation to be required with respect to any given project, (a) on-site mitigation shall be preferred to off-site, and in-kind mitigation shall be preferred to out-of-kind; (b) functional replacement ratios may vary to the extent necessary to incorporate a margin of safety reflecting the expected degree of success associated with the mitigation plan; and (c) acreage replacement ratios may vary depending on the relative functions and values of those wetlands being lost and those being supplied, including compensation for temporal losses. The County shall continue to implement and refine criteria for determining when an alteration to a wetland is considered a less-than-significant impact under CEQA.
<u><i>Consistent.</i></u>	The proposed project would not affect wetland habitat (see Impact 12-1).
<i>Fish and Wildlife Habitat</i>	
Goal 6.C:	To protect, restore, and enhance habitats that support fish and wildlife species so as to maintain populations at viable levels.
Policy 6.C.1:	The County shall identify and protect significant ecological resource areas and other unique wildlife habitats critical to protecting and sustaining wildlife populations. Significant ecological resource areas include the following: <ul style="list-style-type: none"> a. Wetland areas including vernal pools. b. Stream environment zones. c. Any habitat for rare, threatened or endangered animals or plants. d. Critical deer winter ranges (winter and summer), migratory routes and fawning habitat. e. Large areas of non-fragmented natural habitat, including Blue Oak Woodlands, Valley Foothill Riparian, vernal pool habitat. f. Identifiable wildlife movement zones, including but not limited to, non-fragmented stream environment zones, avian and mammalian migratory routes, and known concentration areas of waterfowl within the Pacific Flyway. g. Important spawning areas for anadromous fish.
<u><i>Consistent.</i></u>	Chapter 12, Biological Resources, of this EIR analyzes the potential effects of the proposed project on special-status fish and wildlife, including potential effects on their habitat. The EIR includes mitigation measures that would reduce the biological impacts of the proposed project to a less-than-significant level.
Policy 6.C.2:	The County shall require development in areas known to have particular value for wildlife to be carefully planned and, where possible, located so that the reasonable value of the habitat for wildlife is maintained.

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<u>Consistent.</u>	As discussed in Chapter 12, Biological Resources, mitigation measures proposed by the project applicant and recommended by the EIR would reduce wildlife impacts to a less-than-significant level.
Policy 6.C.4:	The County shall encourage private landowners to adopt sound wildlife habitat management practices, as recommended by California Department of Fish and Game officials, the U.S. Fish and Wildlife Service, and the Placer County Resource Conservation District.
<u>Consistent.</u>	As discussed in Chapter 12, Biological Resources, of this EIR, mitigation measures proposed by the project applicant and recommended by the EIR would reduce wildlife impacts to a less-than-significant level.
Policy 6.C.6:	The County shall support preservation of the habitats of rare, threatened, endangered, and/or other special status species. Federal and state agencies, as well as other resource conservation organizations, shall be encouraged to acquire and manage endangered species' habitats.
<u>Consistent.</u>	Chapter 12, Biological Resources, analyzes the potential effects of the proposed project on special-status fish and wildlife, including potential effects on their habitat. The EIR includes mitigation measures that would reduce the biological impacts of the proposed project to a less-than-significant level. The project applicant would provide long-term protection of the VELB mitigation habitat by providing a deed restriction, conservation easement, or deed transfer to a resource agency or private wildlife management entity approved by USFWS.
Policy 6.C.7:	The County shall support the maintenance of suitable habitats for all indigenous species of wildlife, without preference to game or non-game species, through maintenance of habitat diversity.
<u>Consistent.</u>	The proposed project, with implementation of the EIR mitigation measures, would not result in significant impacts on wildlife habitat. The proposed project includes avoidance of approximately 83 acres of oak woodland, approximately 172 elderberry shrubs, and restoration of 212 acres of oak woodland and riparian woodland, and 15 acres of VELB habitat.
Policy 6.C.8:	The County shall support the preservation or reestablishment of fisheries in the rivers and streams within the county, whenever possible.
<u>Consistent.</u>	Mitigation Measure R12-2 would adequately protect special-status salmonids within the Bear River.
Policy 6.C.9:	The County shall require new private or public developments to preserve and enhance existing native riparian habitat unless public safety concerns require removal of habitat for flood control or other public purposes. In cases where new private or public development results in modification or destruction of riparian habitat for purposes of flood control, the developers shall be responsible for acquiring, restoring, and enhancing at least an equivalent amount of like habitat within or near the project area.

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<u>Consistent.</u>	The proposed project would include removal of 3 acres of riparian woodland, to be compensated with revegetation of at least 6 acres of riparian woodland habitat.
Policy 6.C.10:	The County will use the California Wildlife Habitat Relationships (WHR) system as a standard descriptive tool and guide for environmental assessment in the absence of a more detailed site-specific system.
<u>Consistent.</u>	Site-specific wildlife surveys and analysis have been conducted for the proposed project.
Policy 6.C.11:	<p>Prior to approval of discretionary development permits involving parcels within a significant ecological resource area, the County shall require, as part of the environmental review process, a biotic resources evaluation of the sites by a wildlife biologist, the evaluation shall be based upon field reconnaissance performed at the appropriate time of year to determine the presence or absence of rare, threatened, or endangered species of plants or animals. Such evaluation will consider the potential for significant impact on these resources, and will identify feasible measures to mitigate such impacts or indicate why mitigation is not feasible. In approving any such discretionary development permit, the decision making body shall determine the feasibility of the identified mitigation measures. Significant ecological resource areas shall, at a minimum, include the following:</p> <ul style="list-style-type: none"> a. Wetland areas including vernal pools. b. Stream environment zones. c. Any habitat for rare, threatened or endangered animals or plants. d. Critical deer winter ranges (winter and summer), migratory routes, and fawning habitat. e. Large areas of non-fragmented natural habitat, including Blue Oak Woodlands, Valley Foothill Riparian, and vernal pool habitat. f. Identifiable wildlife movement zones, including but not limited to, non-fragmented stream environment zones, avian and mammalian migratory routes, and known concentration areas of waterfowl within the Pacific Flyway. g. Important spawning areas for anadromous fish.
<u>Consistent.</u>	Site-specific biological surveys have been performed on the project site, and provide the basis for the analysis, conclusions, and mitigation measures included in the EIR.
Vegetation	
Goal 6.D:	To preserve and protect the valuable vegetation resources of Placer County.
Policy 6.D.2:	The County shall require developers to use native and compatible non-native species, especially drought-resistant species, to the extent possible in fulfilling landscaping requirements imposed as conditions of discretionary permits or for project mitigation.
<u>Consistent.</u>	No landscaping is required of the project.
Policy 6.D.3:	The County shall support the preservation of outstanding areas of natural vegetation, including, but not limited to, oak woodlands, riparian areas, and vernal pools.

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<u>Consistent.</u>	The proposed project, with implementation of the EIR mitigation measures, would not result in significant impacts on natural vegetation communities. The proposed project includes avoidance of approximately 83 acres of oak and riparian woodland, and restoration of 212 acres of this type of habitat.
Policy 6.D.4:	The County shall ensure that landmark trees and major groves of native trees are preserved and protected. In order to maintain these areas in perpetuity, protected areas shall also include younger vegetation with suitable space for growth and reproduction.
<u>Consistent.</u>	No landmark trees or major groves of native trees have been identified within the project site. The proposed project includes avoidance of approximately 83 acres of oak and riparian woodland, and restoration of 212 acres of this type of habitat.
Policy 6.D.5:	The County shall establish procedures for identifying and preserving rare, threatened, and endangered plant species that may be adversely affected by public or private development projects.
<u>Consistent.</u>	No rare, threatened, and endangered plant species have been identified within the project site.
Policy 6.D.6:	The County shall ensure the conservation of sufficiently large, continuous expanses of native vegetation to provide suitable habitat for maintaining abundant and diverse wildlife.
<u>Consistent.</u>	The proposed project includes avoidance of approximately 83 acres of oak and riparian woodland, and restoration of 212 acres of this type of habitat.
Policy 6.D.7:	The County shall support the management of wetland and riparian plant communities for passive recreation, groundwater recharge, nutrient catchment, and wildlife habitats. Such communities shall be restored or expanded, where possible.
<u>Consistent.</u>	The proposed project, with implementation of the EIR mitigation measures, would not result in significant impacts on wetland and riparian plant communities. Specifically, the proposed project would avoid disturbance of most riparian vegetation along the Bear River, and includes revegetation of at least 6 acres of riparian woodland. Activities that may directly affect riverine, riparian, or wetland habitat may be regulated by CDFG pursuant to §1602 of the California Fish and Game Code. Mitigation Measure R12-1 requires the project applicant to comply with §1602, and to implement any further protective measures required by CDFG.
Policy 6.D.8:	The County shall require that new development preserve natural woodlands to the maximum extent possible.
<u>Consistent.</u>	The proposed project includes avoidance of approximately 83 acres of oak and riparian woodland, and restoration of 212 acres of this type of habitat.
Policy 6.D.9:	The County shall require that development on hillsides be limited to maintain valuable natural vegetation, especially forests and open grasslands, and to control erosion.
<u>Consistent.</u>	The proposed project is not located on a hillside.

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Policy 6.D.10:	The County shall encourage the planting of native trees, shrubs, and grasslands in order to preserve the visual integrity of the landscape, provide habitat conditions suitable for native wildlife, and ensure that a maximum number and variety of well-adapted plants are maintained.
<u>Consistent.</u>	The proposed project includes restoration of 212 acres of oak and riparian woodland and establishment of 58 acres of wetlands.
Policy 6.D.13:	The County shall support the preservation of native trees and the use of native, drought tolerant plant materials in all revegetation/landscaping projects.
<u>Consistent.</u>	The proposed project includes avoidance of approximately 83 acres of oak and riparian woodland, and restoration of 212 acres of oak and riparian woodland and establishment of 58 acres of wetlands. The proposed project includes revegetation using native and compatible non-native species.
Policy 6.D.14:	The County shall require that new development avoid, as much as possible, ecologically-fragile areas (e.g., areas of rare or endangered species of plants, riparian areas). Where feasible, these areas should be protected through public acquisition of fee title or conservation easements to ensure protection.
<u>Consistent.</u>	The proposed project would avoid and protect the Bear River corridor and large stands of oak woodland. The project applicant would provide long-term protection of the VELB mitigation habitat by providing a deed restriction, conservation easement, or deed transfer to a resource agency or private wildlife management entity approved by USFWS.
<i>Air Quality—General</i>	
Goal 6.F:	To protect and improve air quality in Placer County Policies.
Policy 6.F.2:	The county shall develop mitigation measures to minimize stationary source and area source emissions.
<u>Consistent.</u>	Mitigation measures included in Chapter 8, Air Quality, have been developed to minimize stationary-source and area-source emissions.
Policy 6.F.4:	The County shall solicit and consider comments from local and regional agencies on proposed projects that may affect regional air quality.
<u>Consistent.</u>	Placer County will provide copies of the Draft EIR to the Placer County Air Pollution Control District (PCAPCD) for review and comment.
Policy 6.F.6:	The County shall require project-level environmental review to include identification of potential air quality impacts and designation of design and other appropriate mitigation measures or offset fees to reduce impacts. The County shall dedicate staff to work with project proponents and other agencies in identifying, ensuring the implementation of, and monitoring the success of mitigation measures.

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<u>Consistent.</u>	Chapter 8, Air Quality, of this EIR includes a project-level review of potential air quality impacts, and includes mitigation measures to reduce air quality impacts. A mitigation monitoring and reporting program has been prepared (see Chapter 19) to ensure implementation and monitoring of the success of the mitigation measures.
Policy 6.F.7:	The County shall encourage development to be located and designed to minimize direct and indirect air pollutants.
<u>Consistent.</u>	Mitigation measures included in Chapter 8, Air Quality, have been developed to minimize direct and indirect air pollutants.
Policy 6.F.8:	The County shall submit development proposals to the PCAPCD for review and comment in compliance with CEQA prior to consideration by the appropriate decision-making body.
<u>Consistent.</u>	Placer County will provide copies of the Draft EIR to the PCAPCD for review and comment. These comments will be responded to in the Final EIR and considered by the Placer County Board of Supervisors when considering the merits of the proposed project.
Policy 6.F.9:	In reviewing project applications, the County shall consider alternatives or amendments that reduce emissions of air pollutants.
<u>Consistent.</u>	Chapter 17, Alternatives, of this EIR considers alternatives that reduce emissions of air pollutants.
Policy 6.F.10:	The County may require new development projects to submit an air quality analysis for review and approval. Based on this analysis, the County shall require appropriate mitigation measures consistent with the PCAPCD's 1991 <i>Air Quality Attainment Plan</i> (or updated edition).
<u>Consistent.</u>	Placer County will provide copies of the Draft EIR (including the air quality analysis) to the PCAPCD for review and comment. The County will incorporate PCAPCD comments, and will require appropriate mitigation measures consistent with this plan.
Policy 6.F.11:	The County shall apply the buffer standards described on page 20 in Part I of this <i>Policy Document</i> and meteorological analyses to provide separation between possible emission/nuisance sources (such as industrial and commercial uses) and residential uses.
<u>Consistent.</u>	As discussed in Mitigation Measure R4-2, Placer County is considering amending the farming zone designations on nearby parcels to include a Special Purpose (-SP) combining zone district on those parcels. The -SP combining zone district would extend 500 feet from the perimeter of mining and processing operations. This project meets the 300-foot buffer and 100-foot buffer with landscaped berm requirements. See Exhibit 9-2 for locations of nearby residences.

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<i>Air Quality—Transportation/Circulation</i>	
Goal 6.G:	To integrate air quality planning with the land use and transportation planning process.
Policy 6.G.1:	The County shall require new development to be planned to result in smooth flowing traffic conditions for major roadways. This includes traffic signals and traffic signal coordination, parallel roadways, and intra- and inter-neighborhood connections where significant reductions in overall emissions can be achieved.
<u>Consistent.</u>	As discussed in Chapter 7, Traffic, of this EIR, the proposed project would not cause exceedance of Placer County LOS standards.
Policy 6.G.7:	The County shall require stationary-source projects that generate significant amounts of air pollutants to incorporate air quality mitigation in their design.
<u>Consistent.</u>	The proposed project would be required to incorporate the air quality mitigation measures included in Chapter 8, Air Quality.
<i>Agricultural Land Use</i>	
Goal 7.A:	To provide for the long-term conservation and use of agriculturally-designated lands.
Policy 7.A.1:	The County shall protect agriculturally-designated areas from conversion to non-agricultural uses.
<u>Consistent.</u>	The proposed project would sequentially convert agricultural land to mining uses, but would reclaim 155 acres of the mined areas and 99 acres of offsite areas to agricultural uses.
Policy 7.A.3:	The County shall encourage continued and, where possible, increased agricultural activities on lands suited to agricultural uses.
<u>Consistent.</u>	The proposed project would sequentially convert agricultural land to mining uses, but would reclaim 155 acres of the mined areas and 99 acres of offsite areas to agricultural uses.
<i>Land Use Conflicts</i>	
Goal 7.B:	To minimize existing and future conflicts between agricultural and non-agricultural uses in agriculturally-designated areas.
Policy 7.B.2:	The County shall weigh the economic benefits of surface mining against the value of preserving agriculture when considering mineral extraction proposals on land designated for agricultural use.
<u>Consistent.</u>	The Placer County Board of Supervisors will consider the merits of the proposed project, including economics benefits of the proposed project.

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<i>Seismic and Geological Hazards</i>	
Goal 8.A:	To minimize the loss of life, injury, and property damage due to seismic and geological hazards.
Policy 8.A.1:	The County shall require the preparation of a soils engineering and geologic-seismic analysis prior to permitting development in areas prone to geological or seismic hazards (i.e., groundshaking, landslides, liquefaction, critically expansive soils, avalanche).
<u>Consistent.</u>	An exploratory drilling program was conducted within certain portions of the proposed expansion area by Raney Geotechnical (1998). Carlton Engineering also conducted borings and testing of sand and gravel deposits within the proposed expansion area (memo dated March 22, 2000). A foundation study would be completed in the area of proposed structural improvements.
Policy 8.A.4:	The County shall ensure that areas of slope instability are adequately investigated and that any development in these areas incorporates appropriate design provisions to prevent landsliding.
<u>Consistent.</u>	The proposed end uses for the mined slopes include agriculture and open space. No structures are proposed within the slope areas. The slopes would be constructed in accordance with the Uniform Building Code and would be generally appropriate for the proposed end uses.
Policy 8.A.5:	In landslide hazard areas, the County shall prohibit avoidable alteration of land in a manner that could increase the hazard, including concentration of water through drainage, irrigation, or septic systems; removal of vegetative cover; and steepening of slopes and undercutting the bases of slopes.
<u>Consistent.</u>	The proposed project is not located within a landslide hazard area.
Policy 8.A.6:	The County shall require the preparation of drainage plans for development in hillside areas that direct runoff and drainage away from unstable slopes.
<u>Consistent.</u>	The proposed project is not located within a hillside area.
Policy 8.A.7:	In areas subject to severe groundshaking, the County shall require that new structures intended for human occupancy be designed and constructed to minimize risk to the safety of occupants.
<u>Consistent.</u>	The proposed project does not include new structures intended for human occupancy. To minimize any such risk to occupants of future projects constructed on the site, EIR Mitigation Measure R10-2 requires the project applicant to map all filled sediment basins and areas of uncontrolled fill and include this information in the deed of trust for the project site.
Policy 8.A.10:	The County shall require that new structures permitted in areas of high liquefaction potential be sited, designed, and constructed to minimize the dangers from damage due to earthquake-induced liquefaction.

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<u>Consistent.</u>	The proposed asphalt batch plant would be constructed within a filled settling basin, potentially subject to liquefaction. The project applicant would prepare a geotechnical engineering report to identify and resolve potentially unstable soil conditions.
Policy 8.A.11:	The County shall limit development in areas of steep or unstable slopes to minimize hazards caused by landslides or liquefaction.
<u>Consistent.</u>	The proposed project does not include development in areas of steep or unstable slopes.
Fire Hazards	
Goal 8.C:	To minimize the risk of loss of life, injury, and damage to property and watershed resources resulting from unwanted fires.
Policy 8.C.3:	The County shall require that new development meets state, county, and local fire district standards for fire protection.
<u>Consistent.</u>	Before issuing grading permits, the Placer County Planning Department would ensure that the proposed project meets state, county, and local fire district standards for fire protection.
Policy 8.C.4:	The County shall refer development proposals in the unincorporated county to the appropriate local fire agencies for review for compliance with fire safety standards. If dual responsibility exists, then both agencies shall review and comment relative to their area of responsibility. If standards are different or conflicting, the more stringent standards shall be applied.
<u>Consistent.</u>	CDF would be provided copies of all project plans and would be able to access the site for inspection and consultation.
Hazardous Materials	
Goal 8.G:	To minimize the risk of loss of life, injury, serious illness, damage to property, and economic and social dislocations resulting from the use, transport, treatment, and disposal of hazardous materials and hazardous materials wastes.
Policy 8.G.1:	The County shall ensure that the use and disposal of hazardous materials in the county complies with local, state, and federal standards.
<u>Consistent.</u>	The EIR reviews project compliance with applicable local, state, and federal standards regarding the use and disposal of hazardous materials, and includes mitigation measures to ensure compliance.
Policy 8.G.3:	The County shall review all proposed development projects that manufacture, use, or transport hazardous materials for compliance with the County's <i>Hazardous Waste Management Plan</i> (CHWMP).

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<u>Consistent.</u>	The EIR reviews project compliance with applicable local, state, and federal standards regarding the use and disposal of hazardous materials, and includes mitigation measures to ensure compliance.
Policy 8.G.5:	The County shall strictly regulate the storage of hazardous materials and wastes.
<u>Consistent.</u>	The EIR reviews project compliance with applicable local, state, and federal standards regarding the use and disposal of hazardous materials, and includes mitigation measures to ensure compliance.
Policy 8.G.6:	The County shall require secondary containment and periodic examination for all storage of toxic materials.
<u>Consistent.</u>	The project site is inspected annually by the Placer County Department of Health and Human Services, ensuring compliance with this policy.
Policy 8.G.7:	The County shall ensure that industrial facilities are constructed and operated in accordance with current safety and environmental protection standards.
<u>Consistent.</u>	The EIR reviews project compliance with applicable local, state, and federal safety and environmental protection standards.
Policy 8.G.8:	The County shall require that new industries that store and process hazardous materials provide a buffer zone between the installation and the property boundaries sufficient to protect public safety. The adequacy of the buffer zone shall be determined by the County.
<u>Consistent.</u>	All hazardous materials would be stored and used in accordance with the Hazardous Materials Business Plan that must be updated annually and submitted to the Placer County Department of Health and Human Services.
Policy 8.G.9:	The County shall require that applications for discretionary development projects that will generate hazardous wastes or utilize hazardous materials include detailed information on hazardous waste reduction, recycling, and storage.
<u>Consistent.</u>	All hazardous materials would be stored and used in accordance with the Hazardous Materials Business Plan that must be updated annually and submitted to the Placer County Department of Health and Human Services. Asphaltic concrete processed at the project site would be hauled offsite to the construction sites where it is used. No hazardous byproducts would be generated that would require storage or disposal.
Policy 8.G.10:	The County shall require that any business that handles a hazardous material prepare a plan for emergency response to a release or threatened release of a hazardous material.
<u>Consistent.</u>	The project applicant would update the mine's existing Emergency Action & Fire Prevention Plan. The project applicant would also prepare and implement a Spill Prevention Control and Countermeasure Plan for aboveground storage tanks.

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<i>Noise</i>	
Goal 9.A:	To protect County residents from the harmful and annoying effects of exposure to excessive noise.
Policy 9.A.2:	The County shall require that noise created by new non-transportation noise sources be mitigated so as not to exceed the noise level standards of [General Plan] Table 9-1 measured immediately within the property line of lands designated for noise-sensitive uses.
<u>Consistent.</u>	This EIR includes mitigation measures to reduce project-generated noise at noise-sensitive land uses (i.e., nearby residences) so it does not exceed the noise level standards of General Plan Table 9-1 measured immediately within the property line of lands designated for noise sensitive uses.
Policy 9.A.5:	Where proposed non-residential land uses are likely to produce noise levels exceeding the performance standards at existing or planned noise-sensitive uses, the County shall require submission of an acoustical analysis as part of the environmental review process so that noise mitigation may be included in the project design.
<u>Consistent.</u>	Chapter 9, Noise, of this EIR includes an analysis of project-generated noise impacts, and includes mitigation measures to minimize project-generated noise impacts.
Policy 9.A.6:	The feasibility of proposed projects with respect to existing and future transportation noise levels shall be evaluated by comparison to Figure 9-1.
<u>Consistent.</u>	The project site is surrounded by Farm (F) zoning designation. Table 9-1 does not include noise level standards for industrial projects that would affect residences or other land uses within the Farm district. Chapter 9, Noise, of this EIR includes an analysis of project-generated noise impacts, and includes mitigation measures to minimize project-generated noise impacts. The EIR analysis uses a standard of 60 dBA day-night noise level (L_{dn}) at residential land uses.
Policy 9.A.9:	Noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so as not to exceed the levels specified in Table 9-3 at outdoor activity areas or interior spaces of existing noise-sensitive land uses.
<u>Consistent.</u>	This EIR analyzes project-related transportation noise levels for the existing haul route. Because the project would reduce the average annual production rate, project-generated vehicle traffic and resultant noise would be reduced and would not cause exceedance of County noise standards.
Policy 9.A.11:	<p>The County shall implement one or more of the following mitigation measures where existing noise levels significantly impact existing noise-sensitive land uses, or where the cumulative increase in noise levels resulting from new development significantly impacts noise-sensitive land uses:</p> <ol style="list-style-type: none"> Rerouting traffic onto streets that have available traffic capacity and that do not adjoin noise-sensitive land uses; Lowering speed limits, if feasible and practical;

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	<ul style="list-style-type: none"> c. Programs to pay for noise mitigation such as low cost loans to owners of noise-impacted property or establishment of developer fees; d. Acoustical treatment of buildings; or e. Construction of noise barriers.
<u>Consistent.</u>	This EIR includes mitigation measures to reduce project-generated noise at noise-sensitive land uses (i.e., nearby residences). These measures also include a requirement that the applicant provide acoustical treatment of residential buildings that would remain significantly impacted by the proposed project after implementation of all other noise-reducing mitigation measures are implemented.
Policy 9.A.12:	Where noise mitigation measures are required to achieve the standards of Tables 9-1 and 9-3, the emphasis of such measures shall be placed upon site planning and project design. The use of noise barriers shall be considered as a means of achieving the noise standards only after all other practical design-related noise mitigation measures have been integrated into the proposed project.
<u>Consistent.</u>	The noise reduction mitigation measures required in this EIR include limits on operating hours, requirements to keep equipment properly maintained and equipped with noise controls, construction of a landscaped berm between Phase 6 and nearby residences, and mining of Phase 6 in a manner that minimizes noise levels at nearby residences.
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<i>Agricultural Lands</i>	
2-LUG:	Retain the most productive agricultural lands in agricultural use, and clearly define areas suitable for urbanization and other forms of nonagricultural development.
33-LUP:	Non-agricultural development projects shall be directed to marginal agricultural lands.
<u>Consistent.</u>	The proposed project would sequentially convert agricultural land to mining uses, but would reclaim 155 acres of the mined areas and 99 acres of offsite areas to agricultural uses. The area is a designated Mineral Resource Zone (MRZ).
<i>Land Use Compatibility</i>	
5-LUG:	Assure that land uses located in proximity to one another are compatible, and that the appearance of development is pleasing and compatible with its surroundings.
32-LUO:	Utilization of greenspace and other buffers between potentially incompatible land uses.
<u>Consistent.</u>	A buffer of approximately 1,500 feet would exist between the nearest Yuba County residence and the proposed mining/reclamation activities.

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<i>Utilization of Natural Resources</i>	
1-OSCG:	Preserve scarce natural resources and achieve a balance between conservation and utilization of other natural resources in order to meet the economic, physical and social needs of the county.
3-OSCO:	Regulated extraction and harvesting of natural resources appropriate for consumptive use, in accordance with state regulation and any local programs for resource evaluation and management.
<u>Consistent.</u>	The proposed project would be consistent with CEQA and SMARA.
6-OSCP:	Regulated extraction of mineral deposits within the County shall be encouraged consistent with a multiple use of land resources philosophy.
<u>Consistent.</u>	The proposed project would involve regulated extraction of mineral deposits.
7-OSCP:	Surface mining as well as other forms of mining shall be carried out in strict compliance with the established environmental protection regulations and policies of the County and other responsible agencies.
<u>Consistent.</u>	The proposed project would be consistent with CEQA and SMARA. In addition, all responsible agencies will be provided an opportunity to review and comment on the proposed and recommended mitigation measures included in this EIR, and on any other pertinent aspect of the proposed project.
8-OSCP:	Regulations governing the manner in which mining activities are sited and conducted and which are consistent with the Surface Mining and Reclamation Act of 1977 (SMARA), as amended, shall be maintained by the County.
<u>Consistent.</u>	The proposed project would be consistent with SMARA and related regulations.
4-OSCO:	Protection of known mineral resources from land uses which would preclude or inhibit timely mineral extraction.
<u>Consistent.</u>	The proposed land uses, including the reclaimed uses, would not preclude or inhibit further mineral extraction.
13-OSCP:	Lands designated MRZ-2 on Figure 2-12 of Volume I of this General Plan shall be protected from preclusive and incompatible land uses so that the mineral resources within these lands are available when needed.
<u>Consistent.</u>	The proposed land uses, including the reclaimed uses, would not preclude or inhibit further mineral extraction.
5-OSCO:	Orderly extraction of minerals and subsequent reclamation of mined areas.
<u>Consistent.</u>	The proposed mining and reclamation would be phased to encourage an orderly extraction of minerals and subsequent reclamation of the mined areas.

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15-OSCP:	The County shall enforce and comply with the provisions of SMARA as amended and shall maintain local regulations which are consistent with the Act.
<u>Consistent.</u>	The proposed project would be consistent with SMARA and related regulations.
16-OSCP:	Yuba County shall encourage adequate supplies of mineral commodities to be developed under a diversity of ownership to protect the consumer against the effects of restricted competition.
<u>Consistent.</u>	The proposed project would maintain the current diversity of mine ownership in Yuba County.
17-OSCP:	<p>Surface mining within lands classified MRZ-2 shall be controlled to assure that:</p> <ul style="list-style-type: none"> • Adverse environmental effects are prevented or minimized, and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative uses. • The production and conservation of minerals are encouraged, while giving consideration of values relating to recreation, watershed, wildlife, aesthetic enjoyment and other environmental factors. • Residual hazards to the public health and safety are eliminated.
<u>Consistent.</u>	The environmental effects of the proposed project, including those related to the issues stated in this policy, have been analyzed in this EIR. Mitigation measures have been included in the EIR that would prevent or minimize adverse environmental effects to the extent practicable. The proposed project includes a reclamation plan that would return the land to a usable condition which is readily adaptable for alternative uses.
18-OSCP:	Plans for future use of mined lands shall be included as part of mining permits, and guaranteed by reasonable bonds, so that beneficial public and private uses of the mined site may be assured upon termination of mining operations.
<u>Consistent.</u>	The proposed project includes a reclamation plan that would provide beneficial private uses of the site. The proposed project would include adequate financial assurances, consistent with SMARA requirements.
19-OSCP:	Surface mining may be permitted or conditionally permitted on land which is identified as Mineral Resource provided a Reclamation Plan in accordance with SMARA is first approved, and the extraction is compatible and in harmony with other existing and planned land uses on or around the subject property.
<u>Consistent.</u>	Mitigation measures proposed by the applicant and required by this EIR would reduce most environmental impacts to a less-than-significant level. Certain land use compatibility impacts related to farmland conversion, noise (in Placer County) air quality, and health-risk, however, would remain significant and unavoidable. The applicant appears to be implementing all feasible measures to reduce environmental and land use compatibility impacts.

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<i>Watershed Protection</i>	
4-OSCG:	Conserve and protect the Yuba County watershed while providing for timber production, agricultural uses and land development opportunities.
12-OSCO:	Minimal erosion during the land development process and resource production.
<u><i>Consistent.</i></u>	The existing and proposed mining areas are internally drained, and mining and processing activities are currently, and would continue to be, conducted in compliance with the SWPPP for the proposed project. Mitigation measures specified in Chapter 11, Water Resources, of this EIR would ensure that stormwater runoff would not result in significant adverse effects on water quality.
48-OSCP:	The County shall require drainage and erosion control plans in conjunction with all development projects on slopes exceeding 5 percent or where other features are present that may pose an erosion hazard.
<u><i>Consistent.</i></u>	The existing and proposed mining areas are internally drained, and mining and processing activities are currently, and would continue to be, conducted in compliance with the SWPPP for the proposed project. Mitigation measures specified in Chapter 11, Water Resources, of this EIR would ensure that stormwater runoff would not result in significant adverse effects on water quality.
49-OSCP:	Standards for erosion control shall describe a program for monitoring to assure that erosion control measures are complied with and that corrective measures are taken when needed.
<u><i>Consistent.</i></u>	The operator will be required to monitor the success of the SWPPP, make necessary modifications, and report noncompliance occurrences to the State Water Resources Control Board.
13-OSCO:	Imposition of runoff controls in conjunction with development projects and resource production which employs best management practices to limit toxics and nutrients entering waterways.
<u><i>Consistent.</i></u>	The existing and proposed mining areas are internally drained, and mining and processing activities are currently, and would continue to be, conducted in compliance with the SWPPP for the proposed project. Mitigation measures specified in Chapter 11, Water Resources, of this EIR would ensure that stormwater runoff would not result in significant adverse effects on water quality.
50-OSCP:	The County shall enforce the requirements of the National Pollutant Discharge Elimination System (NPDES) Program when reviewing permits for development projects and resource extraction related projects.

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<u>Consistent.</u>	The existing and proposed mining areas are internally drained, and mining and processing activities are currently, and would continue to be, conducted in compliance with the SWPPP for the proposed project. Mitigation measures specified in Chapter 11, Water Resources, of this EIR would ensure that stormwater runoff would not result in significant adverse effects on water quality.
53-OSCP:	Natural stormwater drainage features shall be preserved and utilized as a part of site drainage whenever feasible.
<u>Consistent.</u>	The proposed project includes preservation of the Bear River corridor through the project site.
55-OSCP:	Project designs that minimize offsite drainage, impervious surfaces and retain to the extent feasible natural drainage conditions shall be encouraged.
<u>Consistent.</u>	The proposed project has been designed to minimize offsite drainage and impervious surfaces, and to preserve the Bear River.
56-OSCP:	When deemed necessary by the Public Works Director, detention/retention ponds shall be required onsite in conjunction with new development and resource production activities.
<u>Consistent.</u>	The existing and proposed mining areas are internally drained.
14-OSCO:	Management of the land development process and resource production in a manner which protects groundwater resources.
<u>Consistent.</u>	As discussed in Section 1.4 of this EIR, the proposed project would not increase the volume or rate of groundwater usage. As discussed in Chapter 11 (Water Resources) excavation of mining pits would not affect any water supply wells in Yuba County. The proposed project would continue to implement (and update) the BMPs included in the current SWPPP for the mine to protect groundwater quality.
58-OSCP:	Groundwater recharge areas as described in Volume I of this <i>General Plan</i> shall be protected from overcovering and contamination through careful regulation of the type of development which occurs within these areas.
<u>Consistent.</u>	The proposed project would not overcover any groundwater recharge areas. The proposed project would continue to implement (and update) the BMPs included in the current SWPPP for the mine to protect groundwater quality.
59-OSCP:	Uses with the potential to accidentally discharge harmful groundwater pollutants shall be prohibited unless appropriate mitigation measures have been incorporated into the operation of such uses.
<u>Consistent.</u>	The proposed project would continue to implement (and update) the BMPs included in the current SWPPP for the mine to protect groundwater quality.

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<i>Vegetation and Wildlife Protection</i>	
5-OSCG:	Protect lands of unique value to plants, fisheries, waterfowl and other forms of animal life.
17-OSCO:	No net loss of wetland and riparian habitat.
<u><i>Consistent.</i></u>	The proposed project would include removal of 3 acres of riparian woodland, to be compensated with revegetation of at least 6 acres of riparian woodland habitat. The proposed project would not affect wetland habitat (see Impact 12-1).
70-OSCP:	New development projects shall be required to fully investigate loss of wetlands through any combination of avoidance, minimization, or compensation, including use of a mitigation banking program. Mitigation shall be coordinated with the State Department of Fish and Game, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service.
<u><i>Consistent.</i></u>	The proposed project would include removal of 3 acres of riparian woodland, to be compensated with revegetation of at least 6 acres of riparian woodland habitat. The proposed project would not affect wetland habitat (see Impact 12-1). USACE, USFWS, and CDFG have been consulted regarding the proposed project, and are expected to exercise their regulatory authority over applicable components of the proposed project.
21-OSCO:	Identification and protection of remaining areas containing habitat suitable for threatened, endangered or special status species.
<u><i>Consistent.</i></u>	Chapter 12, Biological Resources, of this EIR analyzes the potential effects of the proposed project on special-status species, including potential effects on their habitat. The EIR includes mitigation measures that would reduce the biological impacts of the proposed project to a less-than-significant level.
85-OSCP:	The retention and enhancement of important habitat by preserving large areas or systems which will benefit a variety of species or resources, rather than focusing on individual species, resources or properties shall be encouraged by the County.
<u><i>Consistent.</i></u>	The proposed project would protect and preserve 110 acres along the Bear River corridor and 83 acres of oak woodland, and would restore 212 acres of oak woodland and riparian woodland. In addition, 53 acres of wetland vegetation would be allowed to volunteer naturally along the margin of a proposed 249-acre lake and 5 acres of wetland area in Phase 1 would be enhanced and expanded.
86-OSCP:	The County shall encourage the preservation of areas of natural vegetation that may also contain threatened, endangered or special status species, including oak woodlands, riparian areas, marshland, and vernal pools.
<u><i>Consistent.</i></u>	The proposed project would protect and preserve 110 acres along the Bear River corridor and 83 acres of oak woodland.

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87-OSCP:	Coordination with State and federal agencies and private preservation/ conservation groups shall be encouraged and maintained in an effort to preserve habitat and protect rare, endangered, threatened and special concern species; to ensure consistency in efforts; and to promote joint planning and development of areas to be preserved.
<u><i>Consistent.</i></u>	USACE, USFWS, and CDFG have been consulted regarding the proposed project, and are expected to exercise their regulatory authority over applicable components of the proposed project and to review and comment the proposed biological mitigation plan.
89-OSCP:	When habitat for threatened, endangered or special status species is believed to be present, the County shall require biological studies conducted by qualified persons within the appropriate season prior to action on development projects.
<u><i>Consistent.</i></u>	Site-specific biological surveys have been performed on the project site by qualified professionals. These surveys provide the basis for the analysis, conclusions, and mitigation measures in this EIR.
90-OSCP:	Where biological studies or other environmental documents propose mitigation measures, such measures shall be incorporated into development project design whenever feasible.
<u><i>Consistent.</i></u>	The EIR includes mitigation measures to minimize biological impacts to the maximum extent practicable.
24-OSCO:	Connection of wildlife preserves and parklands to wildlife/open space corridors, to the extent practicable.
<u><i>Consistent.</i></u>	The proposed project includes preservation of the Bear River riparian corridor through the project site.
106-OSCP:	The County shall encourage the retention of natural vegetation and open space areas along the Yuba, Bear and Feather rivers.
<u><i>Consistent.</i></u>	The proposed project includes preservation of the Bear River riparian corridor through the project site.
<i>Protection of Agricultural Lands</i>	
2-LUG:	Retain the most productive agricultural lands in agricultural use, and clearly define areas suitable for urbanization and other forms of non-agricultural development.
<i>Conservation of Oak Woodlands</i>	
7-OSCG:	Conserve Valley oaks, and encourage the protection and regeneration of oak woodlands in foothill areas.
116-OSCP:	Project proponents shall identify and map the location of all Valley oaks on property proposed for a development project. Identification need not include individual trees where groves of Valley oaks are present, and need not include trees less than 6 inches in diameter at breast height.

Table 4-2
Land Use Plan Consistency Analysis

<u>Consistent.</u>	The project applicant has mapped all valley oak woodland occurring on the project site.												
117-OSCP:	<p>The following guidelines shall be implemented by the County in order to preserve Valley oaks:</p> <ul style="list-style-type: none"> • During any construction, fill should not be placed within an area which is 1.5 times the distance from the trunk to the dripline (the perimeter of the crown) of Valley oaks and no closer than 10 feet from the trunk. The dripline of the tree should be fenced during grading and construction. • Soil compaction, which could damage root systems and interfere with vital gas and nutrient exchanges in the roots, should be prevented by not operating or storing heavy equipment within oak driplines. • Excavations around trees should be minimized. Depth of excavations should be the minimum required. Utility lines should be combined in single trenches whenever possible. • If roots need to be removed, they should be cut rather than torn and immediately covered with mulch or soil to prevent desiccation. • Developers shall submit a tree protection plan along with grading and erosion control plans when Valley oaks are present on the site to be developed. The tree protection plan should include a planting replacement program for all Valley oaks removed, including a maintenance and monitoring program, and should also show how any snags present on the site will be retained where feasible when they do not pose a threat to public safety. • Individuals who purchase lots in new subdivisions containing Valley oaks should be provided with literature on Valley oak protection. Watering of Valley oaks should be prevented, and any landscape vegetation planted adjacent to Valley oaks should be drought-tolerant. 												
<u>Consistent.</u>	All applicable guidelines described above will be imposed as a condition of approval.												
118-OSCP:	<p>All proposed parcel maps, subdivision maps and conditional use permits in areas containing oak woodlands shall show the location of existing oaks by canopy area. Based on the amount of existing canopy area on the project site, the following table will determine the amount of canopy that must be retained:</p> <table> <tr> <th>Existing Canopy Cover Including Permanent Open- Space Areas</th><th>Percent Canopy Cover to be Retained with the Project, Including Permanent Open- Space Areas</th></tr> <tr> <td>80-100%</td><td>60% of existing canopy</td></tr> <tr> <td>60-79%</td><td>70% of existing canopy</td></tr> <tr> <td>40-59%</td><td>80% of existing canopy</td></tr> <tr> <td>20-39%</td><td>85% of existing canopy</td></tr> <tr> <td>19% or less</td><td>90% of existing canopy</td></tr> </table> <p>Specific standards shall be included in the Zoning Ordinance and be subject to CDF wildland fire management recommendations.</p>	Existing Canopy Cover Including Permanent Open- Space Areas	Percent Canopy Cover to be Retained with the Project, Including Permanent Open- Space Areas	80-100%	60% of existing canopy	60-79%	70% of existing canopy	40-59%	80% of existing canopy	20-39%	85% of existing canopy	19% or less	90% of existing canopy
Existing Canopy Cover Including Permanent Open- Space Areas	Percent Canopy Cover to be Retained with the Project, Including Permanent Open- Space Areas												
80-100%	60% of existing canopy												
60-79%	70% of existing canopy												
40-59%	80% of existing canopy												
20-39%	85% of existing canopy												
19% or less	90% of existing canopy												

Table 4-2
Land Use Plan Consistency Analysis

<u>Consistent.</u>	The CUP will show the location of existing oaks by canopy area.
119-OSCP:	Whenever project objectives can be otherwise achieved, it shall be the policy of the County to avoid oak tree removal.
<u>Consistent.</u>	The proposed project would avoid 83 acres of oak woodland.
<i>Flooding and Other Hazards</i>	
10-OSCG:	Carefully regulate development projects located in floodplains, unstable soil areas, high fire hazard areas, areas of steep slope, and other areas with similar constraints.
35-OSCO:	Protection of future development projects from the threat of flooding in a 100-year or more frequent flood event.
<u>Consistent.</u>	No new structures are proposed within areas subject to 100-year flooding.
147-OSCP:	Proponents of new development projects shall be required to undertake an evaluation of flood hazards and shall present the evaluation results to the County prior to approval of development projects.
<u>Consistent.</u>	Chapter 11, Water Resources, of this EIR includes an evaluation of flood hazards.
<i>Cultural Resources</i>	
12-OSCG:	Preserve and restore cultural resources, including historic sites and buildings.
<u>Consistent.</u>	The cultural resources reports prepared by Jensen & Associates and Peak & Associates concluded that no known cultural resources occur within the mine expansion area. Mitigation Measure 15-2 requires the project applicant to mitigate impacts if any previously unknown cultural resources are found.
185-OSCP:	Prior to final action on any development project, the project shall be carefully reviewed against available information, including a records search at the California Archaeological Inventory, North Central Information Center, California State University, Sacramento, for impact on cultural and historical resources.
<u>Consistent.</u>	The cultural resources reports prepared by Jensen & Associates and Peak & Associates concluded that no known cultural resources occur within the mine expansion area. These reports included a review of available information, including a records search at the California Archaeological Inventory, North Central Information Center, California State University, Sacramento. Mitigation Measure 15-2 requires the project applicant to mitigate impacts if any previously unknown cultural resources are found.
186-OSCP:	When deemed appropriate by the Information Center, and particularly in the lower foothill zone, archaeological surveys shall be required for potential development sites.

Table 4-2
Land Use Plan Consistency Analysis

<u>Consistent.</u>	The cultural resources reports prepared by Jensen & Associates and Peak & Associates concluded that no known cultural resources occur within the mine expansion area. Mitigation Measure 15-2 requires the project applicant to mitigate impacts if any previously unknown cultural resources are found.
187-OSCP:	Only those archaeologists recognized as qualified by the North Central Information Center, California State University, Sacramento shall be permitted to conduct surveys and document findings for proposed development projects under review by the County.
<u>Consistent.</u>	The cultural resources reports were prepared by qualified archaeologists.
188-OSCP:	Where historic and prehistoric cultural resources have been identified, the County shall require that development projects be designed to protect such resources from damage, destruction, or defacement whenever possible. Whenever such resources cannot be avoided, appropriate mitigation measures shall be incorporated into the proposed project as recommended by a recognized archaeologist, historian or paleontologist, depending on the type of expertise required.
<u>Consistent.</u>	The cultural resources reports prepared by Jensen & Associates and Peak & Associates concluded that no known cultural resources occur within the mine expansion area. Mitigation Measure 15-2 requires the project applicant to mitigate impacts if any previously unknown cultural resources are found.
189-OSCP:	If previously undiscovered cultural resources or human remains are encountered during construction or excavation, the procedures identified in Sections VIII and IX of Appendix K of the <i>CEQA Guidelines</i> shall be followed.
<u>Consistent.</u>	EIR Mitigation Measure 15-2 requires the project applicant to mitigate impacts if any previously unknown cultural resources are found.
192-OSCP:	Native American groups shall be consulted whenever actions are proposed that may impact sites containing cultural resources of significance to Native Americans.
<u>Consistent.</u>	The cultural resources reports prepared by Jensen & Associates and Peak & Associates concluded that no known Native American sites occur within the mine expansion area. Mitigation Measure 15-2 requires the project applicant to consult with the Native American Heritage Commission if previously unknown Native American cultural resources are found.
<i>Air Quality</i>	
13-OSCG:	Protect and enhance air quality.
44-OSCO:	Compliance with regional, State and federal air quality standards and regulations.
199-OSCP:	Prior to final action on any development project, the project shall be reviewed to determine the impact such development will have on the existing air quality and for compliance with the air pollution reduction measures specified in the Northern Sacramento Valley Air Basin and Feather River Air Quality Attainment Plans.

**Table 4-2
Land Use Plan Consistency Analysis**

<u>Consistent.</u>	No stationary emission sources would be located within Yuba County. All of the stationary sources would comply with the permitting requirements of the Placer County Air Pollution Control District.
203-OSCP:	Land use decisions shall be made with consideration given to the improvement of air quality. New development projects shall be conditioned to mitigate air quality impacts in accordance with the environmental review process provided in CEQA.
<u>Consistent.</u>	Chapter 8, Air Quality, of this EIR includes a project-level review of potential air quality impacts, and includes mitigation measures to reduce air quality impacts.
204-OSCP:	Mitigation measures specific to project size and type shall be incorporated in each development project permit. Projects that will produce more than 50 pounds per day of Reactive Organic Gases (ROG) or non-methane hydrocarbons, or more than 80 pounds per day of inhalable particulate matter (PM ₁₀) from both direct and indirect sources shall provide Best Available Mitigation Measures (BAMMs) in the design of the project. The BAMMs shall be those identified and periodically updated by the AQMD.
<u>Consistent.</u>	No stationary emission sources would be located within Yuba County. All of the stationary sources would comply with the permitting requirements of the PCAPCD.
205-OSCP:	Development projects producing direct emissions from stationary sources of air pollution shall be required to offset all non-attainment pollutants or their precursors that exceed 25 tons per year. All indirect emissions of the above pollutants that exceed 25 tons per year shall be mitigated with the provision of BAMMs as part of project design.
<u>Consistent.</u>	No stationary emission sources would be located within Yuba County. All of the stationary sources would comply with the permitting requirements of the PCAPCD.
212-OSCP:	Project-level environmental review shall include identification of potential air quality impacts from both direct and indirect sources and include proposed mitigation measures designed to reduce or eliminate significant effects.
<u>Consistent.</u>	Chapter 8, Air Quality, of this EIR includes a project-level review of potential air quality impacts, and includes mitigation measures to reduce air quality impacts.
Sheridan General Plan	
<i>Environmental Resources Goals and Policies</i>	
Goal 1:	Balance continued physical development and environmental factors so that degradation to one does not occur as a result of the other.
Policy 1:	Require an environmental impact report for any project which may significantly affect the environment.
<u>Consistent.</u>	This EIR has been prepared to analyze the potential adverse effects of the proposed project on the environment.

Table 4-2 Land Use Plan Consistency Analysis	
Goal 3:	Improve and utilize noise abatement and reduction techniques in order to lower obnoxious noise levels generated in the plan area which adversely affect the community.
Policy 1:	Enforce noise regulations for motor vehicles and stationary sources.
<u>Consistent.</u>	As discussed in EIR Chapter 9, Noise, the project would not increase noise levels in Sheridan beyond baseline conditions.
<i>Community Development Goals and Policies</i>	
Goal 1:	Encourage continued and increased agricultural activity on lands conducive to agricultural uses.
Policy 1:	Maintain large parcel sizes in productive agricultural areas to both preserve and protect agricultural activity.
<u>Consistent.</u>	The proposed project does not include subdivision or rezoning. The proposed project includes phased reclamation of agricultural land following mining activity.
<i>Sheridan Circulation and Transportation Goals and Policies</i>	
Goal 1:	Establish a safe, efficient and interrelated transportation system to serve the needs of all citizens.
Policy 1:	Planning for and construction of transportation facilities should entail no substantial adverse impact upon the environment.
<u>Consistent.</u>	The proposed project does not include construction of transportation facilities.
Sources: Placer County 1994, Yuba County 1996, EDAW 2004	

PLACER COUNTY ZONING ORDINANCE

EXISTING ZONING DESIGNATIONS

The parcels within Placer County are zoned F-B-X-MR-20 and F-B-X-20. Exhibit 4-4 displays the existing zoning for the project site and surrounding parcels. This zoning designation refers to a Farm (F) zone with two combining districts (-BX and -MR) on 20-acre-minimum parcels. According to Placer County Zoning Ordinance §17.010:

The purpose of the Farm (F) zone is to provide areas for the conduct of commercial agricultural operations that can also accommodate necessary services to support agricultural uses, together with residential land uses at low population densities.

Combining districts are used in conjunction with zone districts to address special needs or characteristics of the areas of Placer County to which they are applied. In the event of a conflict between the combining district and the zone district regulations, the combining district regulations shall control.

The “B” signifies a combining minimum building site. As stated in Placer County Zoning Ordinance §17.52.040:

The purpose and intent of the building site (-B) combining district is to provide for different parcel sizes in new subdivisions than would otherwise be required by an applicable zone district, based upon special characteristics of the site or area to which the combining district is applied, including but not limited to sensitive environmental characteristics, limited resource capacities, and community character.

The X refers to the minimum building site for which the combining district is applied. The X designation is variable and is shown on the zoning map. In this case, the minimum building site is 20 acres.

In addition to the -BX combining district, the existing mine parcels within Placer County also carry an -MR combining district. According to Placer County Zoning Ordinance §17.52.110:

The purpose and intent of the mineral reserve (-MR) combining district is to identify lands that may contain valuable mineral resources, protect the opportunity for the extraction and use of such resources from other incompatible land uses, to provide for the extraction of mineral resources and the reclamation of lands subsequent to such extraction, so as to maintain the economic viability of mining while minimizing adverse impacts to the environment, public health, safety and welfare.

Both surface and subsurface mining is allowable under the Farm (F) zoning with approval of a CUP and in compliance with specific development standards set forth in §17.56.270, Surface Mining and Reclamation, of the Zoning Ordinance. According to §17.06.050, Land Use and Permit Tables, of the Placer County Zoning Ordinance:

[5.] Conditional use permit approval is required for certain land uses that may be appropriate in a zone, depending on the design of the individual project, and the characteristics of the proposed site and surroundings. Such uses can either raise major land use policy issues or could create serious problems for adjoining properties, the surrounding area, and their populations if such uses are not appropriately located and designed. The purpose of a conditional use permit is to allow Planning Department staff and the Placer County Planning Commission to evaluate a proposed use to determine if problems may occur, to provide the public with an opportunity to review the proposed project and express their concerns in a public hearing to work with the project applicant to adjust the project through conditions of approval to solve any potential problems that are identified, or to disapprove a project if identified problems cannot be acceptably corrected.

As stated previously, when allowed within a specific zoning district, surface mining operations and reclamation of mined lands are subject to the requirements of §17.56.270. This section of the Placer County Zoning Code supplements and should be reviewed in conjunction with SMARA.

Exhibit 4-4
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Section 17.56.270 outlines surface mining requirements including the need for a CUP and mine reclamation plan.

SURFACE MINING AND RECLAMATION (§17.56.270)

Section 17.56.270, Surface Mining and Reclamation, of the Placer County Zoning Ordinance implements the state's surface mining and reclamation regulations in Placer County. Under this ordinance, all new mining activities are required to obtain approval of a CUP and mine reclamation plan before operations may proceed.

The purpose and intent of §17.56.270 is to ensure that:

1. Adverse environmental and other effects of surface mining operations will be prevented or minimized and that the reclamation of mined lands will provide for the beneficial, sustainable, long-term productive use of the mined and reclaimed lands; and
2. The production and conservation of minerals will be encouraged, while eliminating hazards to public health and safety and avoiding or minimizing adverse effects on the environment, including but not limited to geologic subsidence, air pollution, water quality degradation, damage to biological resources, flooding, erosion, degradation of scenic quality, and noise pollution.

SITE DEVELOPMENT IN THE FARM [F] ZONE (§17.10.010)

Section 17.10.010 of the Placer County Zoning Ordinance provides for land uses and site development standards in the Farm (F) zone. The site development standards specified in this section are as follows:

E. Site Development Standards. The following requirements shall apply to all new development in the F zone, except where otherwise provided by Articles 17.54 (General Development Standards) or 17.56 (Specific Use Requirements) for a particular use or situation. Proposed buildings and structures shall be designed and constructed to satisfy the following setback, site coverage, and height limit requirements:

Development Feature	Requirement
Setbacks	
Front	50 feet minimum
Side	30 feet minimum
Rear	30 feet minimum
Site coverage	25 percent maximum
Height limit	36 feet maximum

As described in Chapter 2, Project Description, an asphalt batch plant would be constructed south and west of the existing crusher; however, typical silos for asphalt batch plants are 55 to 60 feet tall. Therefore, approval of a variance to the 36-foot height limit listed above would be required to allow for construction and operation of the asphalt batch plant on the project site.

Section 17.60.100, Variance, of the Placer County Zoning Ordinance states that under certain circumstances, a variance from the application of designated setback, site coverage, and height limit requirements may be requested and granted. A variance application must be completed, filed with the planning department, and processed as provided by §17.58.020, Applications—Filing and Initial Processing. After the application is accepted and a staff report is completed, the zoning administrator or planning commission conducts a public hearing on the variance request and either approves, approves subject to conditions, or disapproves the variance. The approval of a variance becomes effective on the 11th day after approval by the granting authority unless an appeal to the decision is filed.

Approval or conditional approval is granted only when the granting authority finds that the variance satisfies the following criteria (described in detail in California Government Code §65906):

- ▶ special circumstances (e.g., size, shape, topography, location, surroundings) apply to the property, making a variance necessary to ensure privileges for this property equal to those of neighboring properties under the same zoning classification;
- ▶ the variance does not grant special privileges inconsistent with limitations on other properties in the vicinity;
- ▶ the variance does not authorize a use that is not otherwise allowed in the zoning district;
- ▶ the granting of the variance does not adversely affect public health or safety or the public welfare, or cause injury to nearby property or improvements;
- ▶ the variance is consistent with the Placer County General Plan and applicable community or specific plans; and
- ▶ the variance is the minimum departure from site development standards to grant relief to the applicant.

YUBA COUNTY GENERAL PLAN

Yuba County updated its General Plan in 1996. The update addresses four of the seven mandatory elements (land use, circulation, open space, and conservation) and has a 20-year time horizon: 1995–2015. The three remaining mandatory elements (housing, noise, and safety) were not updated, and the previously adopted versions of these elements remain in force and effect.

The Yuba County General Plan Land Use Diagram designates the portion of the project site within its jurisdiction as “Valley Agriculture” (minimum parcel size: 10–80 acres). The General Plan Land Use Element provides the following definition and purpose of this designation:

The Valley Agriculture classification is used to identify areas on the valley floor located outside of community boundaries which are suitable for commercial agriculture and where it is desirable to retain agriculture as the primary land use; to

protect the agricultural community from encroachment of unrelated agricultural uses which, by their nature, would be injurious to the physical and economic well-being of the agricultural community; and to encourage the preservation of agricultural land, both productive and potentially productive, which is identified as State-designated Important Farmlands and/or Class I and II soils by the Natural Resources Conservation Service (NRCS).

The Yuba County General Plan also includes an Open Space Diagram depicting open-space features of importance to the county. On this map, the project site is designated as “Valley Agriculture” and “Mineral Resource.” The Open Space Diagram is consistent with the Land Use Diagram and is intended to strengthen and elaborate on policies and implementation strategies set forth in the Land Use Element.

The “Mineral Resource” classification identifies lands with known mineral resources; protects known mineral resources from land uses that would preclude or inhibit timely mineral extraction; and provides for the exploration and extraction of mineral resources. Limited residential development is permitted as an incidental use.

Areas surrounding the proposed project are also designated “Valley Agriculture.” Similarly, the Open Space Diagram designates areas surrounding the project site “Valley Agriculture” and “Mineral Resource.”

The Yuba County General Plan contains goals, policies, standards and implementation programs that constitute the formal policies of Yuba County for land use, development, and environmental quality. The General Plan was reviewed for goals and policies applicable to the proposed mine expansion project. The results are presented in Table 4-2.

YUBA COUNTY ZONING

EXISTING ZONING DESIGNATIONS

The portion of the project site in Yuba County is zoned “Exclusive Agriculture, 10-acre minimum (AE-10)” (Exhibit 4-4). Chapter 12.20 of the Yuba County Zoning Ordinance describes the threefold purpose of AE zoning:

- ▶ to preserve the maximum amount of the limited supply of agricultural land which is necessary in the conservation of the County’s economic resources and vital for a healthy agricultural economy of the County;

- ▶ to eliminate the encroachment of land uses which are incompatible with the agricultural use of the land; and
- ▶ to prevent the unnecessary conversion of agricultural land to urban uses.

CALIFORNIA SURFACE MINING AND RECLAMATION ACT OF 1975 AND STATE MINING AND GEOLOGY BOARD RECLAMATION REGULATIONS

SMARA (PRC §2710 *et seq.*) provides the regulatory framework and direction for comprehensive surface mining and reclamation operations in the state of California, and is aimed at minimizing or preventing adverse environmental effects and ensuring that mined lands are reclaimed to a useable and productive condition (PRC §2712). In assessing the value of lands for mining purposes, §2712(b) of SMARA suggests that other valuable land uses such as recreation, watershed, wildlife, range and forage, and aesthetics, are considered in conjunction with mining. SMARA also requires that public health hazards be controlled (PRC §2712(c)). Section 2770(a) prohibits mining operations until a reclamation plan is developed and requires that financial assurances are secured to ensure implementation of the reclamation plan. The lead agency (in this case, Placer County) must also ensure that the reclamation plan meets SMARA regulations (PRC §2770(d)). Section 2774(a) requires that the lead agency adopt an ordinance(s) in accordance with state policy establishing procedures for the review and approval of reclamation plans. Requirements are also included in SMARA for lead agencies to develop ordinances for the review and approval of reclamation plans and financial assurances, and the issuance of mining permits (PRC §2770).

CCR Title 14, Division 2, Chapter 8, Subchapter 1 implements portions of SMARA particularly in relation to reclamation plans, mineral resource management, and financial assurances. CCR §3502(b) specifies required components of the reclamation plan beyond PRC §2772. Section 3503 defines the minimum acceptable practices to be followed in surface mining operations related to soils erosion control, water quality and watershed control, protection of fish and wildlife habitat, disposal of mine waste rock and overburden, erosion and drainage, resoiling, and revegetation. CCR §3504(b) and §3702 both require that financial assurances be provided by mining/reclamation proponents to ensure that reclamation is “... performed in accordance with the approved reclamation plan...” Sections 3703–3713 provide performance standards for wildlife habitat; backfilling, regrading, slope stability, and recontouring; revegetation; drainage, diversion structures, waterways, and erosion control; prime agricultural land reclamation; other agricultural land; building structure, and equipment removal; stream protection, including surface and groundwater; topsoil salvage, maintenance, and redistribution; tailing and mine waste management; and closure of surface openings. CCR §§3800–3806.2 specify the process and types of financial assurances that must be provided for reclamation.

CCR §3675 defines “compatible” and “incompatible” land uses with mining areas. Land uses that are “...inherently compatible with mining and/or that require a minimum public or private investment in structures, land improvements, and which may allow mining because of the relative economic value of the land and its improvements” are considered compatible with mining. Examples of compatible land uses include very low density residential, recreational, agricultural, and grazing uses. Incompatible land uses “... are inherently incompatible with mining and/or require public or private investment in structures, land improvements, and landscaping and that may prevent mining because of the greater

economic value of the land and its improvements ...” such as high density residential, public facilities, and other uses.

CCR §3676 specifies the content of lead agency mineral resource policies adopted pursuant to PRC §2762. Specifically, lead agency mineral resource policies must contain at least:

- ▶ a summary of mineral resource information in relation to state policies;
- ▶ statements of policy in accordance with any state-classified mineral resource area; and
- ▶ implementation measures that identify mineral deposit areas and areas targeted for conservation and possible future extraction, and General Plan policies related to those areas.

SHERIDAN GENERAL PLAN

The existing haul route passes through the Sheridan General Plan area. The Sheridan General Plan Land Use Diagram designates land uses along the existing haul route as “Rural Residential” (1 dwelling unit [du]/2.3–5 acres), “Medium Density Residential” (2–4 du/acre), and General Commercial.

Permitted uses with a CUP on lands zoned AE include, but are not limited to, game preserves or hunting or fishing clubs with dwellings or buildings having waste disposal facilities; commercial stables; and surface mining where the reclamation of the land is for agricultural production.

4.3 ENVIRONMENTAL IMPACTS

THRESHOLDS OF SIGNIFICANCE

Based on Appendix G of the State CEQA Guidelines, the proposed project would have a significant impact related to land use and agriculture if it would:

- ▶ physically divide an established community;
- ▶ conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect;
- ▶ conflict with any applicable habitat conservation plan or natural community conservation plan;
- ▶ convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use;
- ▶ conflict with existing zoning for agricultural use, or a Williamson Act contract; or

- ▶ involve other changes in the existing environment that, because of their location or nature, could result in conversion of Farmland, to nonagricultural use.

PROJECT IMPACTS

Impact 4-1

Conversion of Farmland. *Phases 4, 5, and 6 of the proposed mine expansion would convert approximately 254 acres of State-designated Important Farmland, successively removing the Farmland from production for up to 20 years per phase. Phases 4, 5, and 6 of the proposed mine expansion would temporarily convert approximately 96 acres of NRCS-designated Prime Farmland to nonagricultural uses, successively removing NRCS-designated Prime Farmland from production for up to 20 years per phase. This impact is considered **significant**.*

The proposed mining operations would result in the mining of up to 365 acres within the proposed 448-acre expansion area. The mining activities would occur in phases, rather than simultaneously. Portions of mining Phases 4 and 5, and all of Phase 6 have been classified as Prime Farmland (California Department of Conservation 1998) (Exhibit 4-3). These areas total approximately 125 acres. Approximately 130 acres of Phases 4 and 5 have also been classified as Farmland of Statewide Importance (California Department of Conservation 1998). Approximately 58 acres of NRCS-designated Prime Farmland soil is located within the central portion of mining Phase 5, and approximately 38 acres of NRCS-designated Prime Farmland soil occurs within Phase 6 (NRCS 1980, California Department of Conservation 1995) (Exhibit 4-3).

Mining Phase 1 is currently permitted by the existing CUP. Phases 4, 5, and 6 of the proposed mine expansion would convert approximately 254 acres of Farmland to nonagricultural use. According to the orchard property owners, the orchards in Phases 4 and 5 will have reached their useful lifetime by the time mining is proposed (after the year 2025) (Carlton Engineering 2003). This impact is considered significant.

Impact 4-2

Land Use Incompatibility. *The proposed mine expansion project would expand land uses that could be incompatible with agricultural and residential land uses in the vicinity of the proposed project. This impact is considered **potentially significant**.*

The proposed mine expansion project would bring mining and reclamation activities closer to residential areas (i.e., near Phase 6) than occur under baseline conditions, and closer to a large agricultural area (i.e., walnut orchards west of Phases 4 and 5) than baseline conditions. The project would also include a new asphalt plant that would generate a substantial amount of pollutant emissions that are not generated under baseline conditions.

The proposed mine expansion project, therefore, would be incompatible with the existing land uses in the project vicinity because it would result in significant and unavoidable impacts related to noise, air quality, health risks related to diesel exhaust, particulate (i.e., dust) deposition on nearby crops, and increases in detectable odors (see Chapter 8, Air Quality). Given the project timeframe of more than 55 years, offsite development potential may need to be limited to prevent future conflicts. This impact is considered potentially significant.

Impact
4-3

Consistency with Placer County General Plan and Zoning Ordinance. *The proposed project would be consistent with the Placer County General Plan and Zoning Ordinance. This impact is considered **less than significant**.*

The Placer County portions of the project site including the proposed expansion area carry the General Plan Land Use designation of “Agriculture, 20 acre minimum.” These designations include mining as an allowable use, provided that potential conflicts with other land uses can be mitigated. The Placer County portions are zoned as Farm with a combining minimum building site of 20 acres and combining Mineral Reserve (F-B-X-MR-20) and as Farm with a combining minimum building site of 20 acres (F-B-X-20). These zoning designations include mining as an allowable use with the approval of a CUP, provided that the proposed project complies with the Placer County Surface and Mining Ordinance. The proposed project would include a rezone of the F-B-X-20 portions of the site to include the -MR combined zoning (Exhibit 4-5). As shown in Table 4-2, the project would be consistent with applicable Placer County and Sheridan General Plan policies.

The proposed project, therefore, would be consistent with applicable Placer County General Plan policies, the land use designation, and the zoning ordinance. This impact is considered less than significant.

Impact
4-4

Consistency with Yuba County General Plan Policies and Zoning Ordinance. *The proposed project would be consistent with applicable Yuba County General Plan policies and the zoning ordinance. This impact is considered **less than significant**.*

Approximately 63 acres of the proposed expansion area are located within Yuba County. The General Plan Land Use Designations for this portion of the site include “Valley Agriculture” and “Mineral Resource.” This area is zoned “Exclusive Agriculture, 10 acre minimum lots” (AE-10). According to the Yuba County Zoning Ordinance (§12.20.040, item 21), surface mining is an allowed use within an AE zone with issuance of a CUP, “where the reclamation of the land is for agricultural production.”

No active agriculture now occurs within the Yuba County portion of the project site, which is characterized by oak woodland and active mining areas. The currently approved mine reclamation plan allows the operator to reclaim the Yuba County portion of the mine to a lake. The draft reclamation plan includes a substantial amount of agricultural reclamation (i.e., walnut orchards), in addition to oak woodland/elderberry mitigation, and a portion of the reclaimed lake (refer to Exhibit 2-14). Because the project would result in reclaimed agricultural land as an end use on land that is not actively farmed, and because the proposed project would include a CUP, it would be consistent with the project site’s zoning designations.

As summarized in Table 4-2, the proposed project would be consistent with applicable Yuba County General Plan policies. This impact is considered less than significant.

4.4 MITIGATION MEASURES

No mitigation measures are necessary for the following *less-than-significant* impacts.

- 4-3: Consistency with Placer County General Plan and Zoning Ordinance
- 4-4: Consistency with Yuba County General Plan Policies and Zoning Ordinance

Mitigation measures are provided below for *significant* or *potentially significant* impacts of the proposed project.

Mitigation Measure P4-1: Reclaim Farmland in Accordance with Mine Reclamation Plan. The applicant shall implement the following mitigation measures to reduce impacts related to Farmland conversion:

- a) The applicant shall reclaim the same acreage of state-designated and federally designated Farmland as is converted by the mining project (estimated at 254 acres). Of this total, 155 acres shall be reclaimed onsite, and the remainder (approximately 99 acres) may be reclaimed offsite within Placer County on land currently zoned as Farm (F). The applicant may either purchase the offsite reclamation property in fee or through acquisition of a conservation easement.
- b) The applicant shall perform the agricultural reclamation consistent with §6.6.5 (and all other applicable sections) of an approved mine reclamation plan for the proposed project. The agricultural reclamation shall meet the following performance standards:
 - ▶ The reclaimed walnut orchard land shall produce approximately 1.7 tons of walnuts per acre or more for 2 consecutive crop years. Should the crops grown on the reclaimed land be other than walnuts (existing crop), the performance standard shall be the productivity rate for that crop based on the productivity in the area.
 - ▶ The reclaimed rice land shall produce approximately 3.8 tons of rice per acre or more for 2 consecutive crop years. Should the crops grown on the reclaimed land be other than rice (existing crop on portions of the expansion area), the performance standard shall be the productivity rate for that crop based on the productivity in the area.

EXHIBIT 4-5
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Mitigation Measure R4-1(a): Schedule Phasing of Land Preparation, Irrigation Water Development, and Crop Plantings, and Submit Annual Monitoring Report. The applicant shall implement the following measures:

- ▶ Before the start of mining in each phase of the proposed expansion areas, the applicant shall submit to the Placer County Planning Department for review and approval a schedule for land preparation, irrigation water development, and crop plantings such that the farmland reclamation will be phased to correspond with the mining activities as land is displaced over the mining period.
- ▶ The applicant shall also prepare and submit an annual monitoring report to Placer County, summarizing progress toward planting and the annual yields in the areas reclaimed for agriculture.
- ▶ A letter of credit or cash deposit in the amount of 125 percent of the cost to monitor shall be deposited with the Placer County Planning Department to ensure performance of the monitoring program. Evidence of this deposit shall be provided to the satisfaction of the Placer County Development Review Committee (DRC). Violation of any components of the approved monitoring program may result in enforcement activity in accordance with Placer County Environmental Review Ordinance §18.28.070.

Mitigation Measure R4-1(b): Soil Handling and Reclamation. The applicant shall implement the following measures during farmland soil handling and agricultural reclamation activities in Phases 4, 5, and 6 to promote effective soil reclamation:

- a) Soil removal and handling shall be monitored by a soil scientist experienced in soil reclamation. Soil removal and handling shall comply with the following guidelines:
 - ▶ Soil compaction shall be minimized by drying the soil before removal for stockpiling.
 - ▶ Soil shall be removed in maximum depths per pass to minimize traffic and impacts on the soil during the soil removal and replacement process. Traffic on the stockpiles shall be minimized as well.
 - ▶ The surface soil (fine brown silt about 10 feet to 18 feet thick) shall be salvaged and, if necessary, stockpiled separately from the subsoils in accordance with Article 9 reclamation standards, § 3704(c).
 - ▶ The topsoil stockpiles shall be planted with a suitable cover crop mix if left for more than one mining season. This shall reduce erosion and help maintain aeration and microbiological activity. The cover crop mix selected shall include plants that grow in summer and winter.

- b) Soil reconstruction shall be directed by a qualified soil scientist experienced in soil reclamation. Deep tillage (ripping) will be required as the stockpiled soils are reconstructed. The chemical status, organic matter, and bulk density of the topsoil shall be evaluated after the soils have been reconstructed and leveled. Soil treatments and fertilizer requirements shall be decided after soil reconstruction.
- c) A crop plan shall be prepared by a qualified soil scientist in conjunction with a qualified restoration specialist. The crop plan shall include the following elements:
 - ▶ Deep-rooted cover crops are recommended as the first crop after reclamation to improve soil structure, organic matter, and microbial activity. The topsoil chemical status and organic matter shall be evaluated in the agricultural fields following planting of the cover crop. The soils could be cropped in a rotation of forage crops such as seed oats, silage corn, and oat hay.
 - ▶ The exposed slopes around the irrigated agricultural fields shall be planted to suitable plant species for erosion control and some habitat purposes.
- d) A soil reclamation monitoring report, prepared by a qualified soil scientist or similar professional, shall be submitted annually to the Placer County Planning Department. The report shall discuss the progress of the soil reclamation plan, soil removal and handling, soil reconstruction, and crop yields. The report shall identify any measures to improve soil reclamation. A report shall be prepared annually until the Article 9 reclamation standards of the SMARA are achieved.

Mitigation Measure R4-1(c): Establish Permanent Agricultural Preservation Easement on Reclaimed Farmland. The applicant shall establish a 254-acre permanent agricultural preservation easement on the reclaimed farmland or on other agricultural land within Placer County, subject to approval of the Placer County Planning Department. Such areas shall be established by recorded permanent easement or other instrument subject to the approval of the Placer County Planning Department. The applicant shall guarantee the maintenance of the land in a safe and orderly manner through a recorded easement or financial assurance.

Mitigation Measure R4-2: Rezone to Include Project Site in Special Purpose Combining Zone District. Placer County will amend the farming zone designations on the project site to include a Special Purpose (-SP) combining zone district. Placer County is also considering amending the farming zone designations on nearby parcels to include a Special Purpose (-SP) combining zone district on those parcels. A -SP combining district is created when:

mineral extraction operations...are of such importance to the health, safety, economy, and general welfare of the public that special consideration of the issue of land use must be afforded such uses. The special purpose combining zone is created to identify specific areas in the vicinity of such uses where land use compatibility issues are of particular importance... When applied to a particular parcel of land, the purpose of the district is to require a discretionary review of the proposed use of that

land and to restrict the use of that land to uses that are determined to be compatible with the special use in the vicinity. (Placer County Zoning Ordinance §17.52.130)

This zoning designation will require the landowners to obtain discretionary land use permits in the form of either a conditional use permit, minor use permit, or administrative review of any offsite activities to reduce possible conflicts between the proposed project and incompatible land uses. The -SP combining district will extend 500 feet from the perimeter of the mining and processing operations. Placer County also can record notices on property titles indicating that the property is in the vicinity of an active mine. These notices will serve as disclosure to future owners and residents.

It should be noted that the County uses the Special Purpose (-SP) combining zone district to prevent land use conflicts at various locations throughout the county, including the County landfill, airports, wastewater treatment plants, and mines. Application of the -SP zone provides the County with discretionary authority to review the location and orientation of residential structures and outbuildings. The County has required individuals to relocate proposed residential structures to provide larger buffers (setbacks) on their parcel than required under the base zoning; however, the County has never denied a request to construct a home in the -SP zone if the home can be constructed to meet all other County requirements. It is conceivable, however, that such a denial could occur. (Thompson, pers. comm., 2004.)

4.5 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impact 4-1: Conversion of Farmland. Implementation of Mitigation Measure P4-1 would compensate for the loss of agricultural land, and would render the proposed project compliant with SMARA farmland reclamation standards (CCR §§3707–3708). Because it is difficult to recreate the soil and water conditions used to classify state-designated and federally designated Farmland, Mitigation Measures P4-1, R4-1(a) and R4-1(b), are not expected to mitigate the loss of designated Farmland sufficiently to reduce the impact to a less-than-significant level. There are no feasible mitigation measures available to reduce this impact on designated Farmland to a less-than-significant level. This impact is therefore considered *significant and unavoidable*.

Impact 4-2: Land Use Incompatibility. Implementation of Mitigation Measure R4-2 would reduce the likelihood of land use compatibility conflicts between the mine and future development. This mitigation measure, however, would not be expected to reduce all land use compatibility impacts to a less-than-significant level. This impact is therefore considered *significant and unavoidable*.